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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10410

SPECIFICATION OF LAWS FROM WHICH THE ESCAPEE PROGRAM ADMINISTERED BY THE DEPARTMENT OF STATE SHALL BE EXEMPT

By virtue of the authority vested in me by section 532 of the Mutual Security Act of 1951, as added by section 7 (m) of the Mutual Security Act of 1952 (Public Law 400, approved June 20, 1952, 66 Stat. 146), it is hereby determined that the performance of functions with respect to the escapee program, authorized by section 101 (a) (1) of the Mutual Security Act of 1951, as amended, and administered by the Department of State, without regard to the three following-designated provisions of law will further the purposes of the said Mutual Security Act of 1951, as amended:

1. Section 3648 of the Revised Statutes, as amended, 60 Stat. 809 (31 U. S. C. 529).

2. Section 305 of the Federal Property and Administrative Services Act of 1949, approved June 30, 1949, ch. 288, 63 Stat. 396 (41 U. S. C. 255).

3. Section 3709 of the Revised Statutes, as amended (41 U. S. C. 5).

HARRY S. TRUMAN

THE WHITE HOUSE,
November 14, 1952.

[F. R. Doc. 52–12341; Filed, Nov. 14, 1952; 3:54 p. m.]

EXECUTIVE ORDER 10411

RESTORING CERTAIN LANDS COMPRISING PARTS OF THE AIEA MILITARY RESERVATION TO THE JURISDICTION OF THE TERRITORY OF HAWAII

WHEREAS certain lands at Aiea, Island of Oahu, Territory of Hawaii, which form a part of the public lands ceded and transferred to the United States by the Republic of Hawaii under the joint resolution of July 7, 1898, 30 Stat. 750, were reserved for military purposes of the United States by a series of Executive orders and now comprise the Aiea Military Reservation as described in Executive Order No. 8320 of January 15, 1940, and as modified by Executive Order No. 9545 of April 27, 1945; and

WHEREAS certain parcels of such lands are no longer needed for military purposes, and it is deemed advisable and in the public interest that they be restored to the jurisdiction of the Territory of Hawaii:

NOW, THEREFORE, by virtue of the authority vested in me by section 91 of the act of April 30, 1900, 31 Stat. 159, as amended by section 7 of the act of May 27, 1910, 36 Stat. 447, it is ordered as follows:

The possession, use, and control of the following-described parcels of land comprising parts of the Aiea Military Reservation, Island of Oahu, Territory of Hawaii, are hereby restored to the jurisdiction of the Territory of Hawaii:

PARCEL 1

All of the land described as Lot 1 in Executive Order No. 8320 of January 15, 1940.

PARCEL 2

The following-described portion of the land described as Lot 2 in Executive Order No. 8320 of January 15, 1940:

Beginning at concrete monument No. 7, marking the east corner of this lot, and on the southwesterly side of Moanalua Road (formerly Kamehameha Highway), the coordinates of said point of beginning referred to triangulation monument "AIEA" located on the Aiea-Halawa boundary line, being 1126.11 feet North and 1209.59 feet East, and the true azimuth and distance from said triangulation monument "AIEA" to U. S. Coast and Geodetic Survey triangulation station "SALT LAKE" being 292° 12′ 25″ 9393.00 feet, thence running by azimuths measured clockwise from True South:

1. Along the northwesterly side of Oahu Railway and Land Company's 40-feet right of way on a curve to the left having a radius of 978.43 feet, the chord azimuth and distance being: 32° 25′ 31″ 430.68 feet;

2. 128° 00′ 00″ 255.98 feet to a point;

3. 209° 26′ 33″ 454.80 feet to concrete monument No. 4;

4. 320° 16′ 40″ 96.07 feet along the southwesterly side of Moanalua Road (formerly Kamehameha Highway) to concrete monument No. 5;

5. 311° 53′ 50″ 78.95 feet along the southwesterly side of Moanalua Road (formerly Kamehameha Highway) to concrete monument No. 6;

6. 305° 26′ 10″ 109.59 feet along the southwesterly side of Moanalua Road (formerly Kamehameha Highway) to the point of beginning, and containing an area of 2.492 acres.

HARRY S. TRUMAN

THE WHITE HOUSE,
November 14, 1952.

[F. R. Doc. 52–12340; Filed, Nov. 14, 1952; 3:54 p. m.]

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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EXECUTIVE ORDER 10412

INSPECTION OF RETURNS BY SENATE COMMITTEE ON THE JUDICIARY

By virtue of the authority vested in me by sections 55 (a), 508, 603, 729 (a), and 1204 of the Internal Revenue Code (53 Stat. 29, 111, 171, 54 Stat. 989, 1008, 55 Stat. 722; 26 U. S. C. 55 (a), 508, 603, 729 (a), and 1204), it is hereby ordered that any income, excess-profits, declared value excess-profits, capital stock, estate, or gift tax return for the years 1941 to 1951, inclusive, shall, during the Eighty-second Congress, be open to inspection by the Senate Committee on the Judiciary or any duly authorized subcommittee thereof for the purpose of carrying out the provisions of Senate Resolution 245 (82d Congress, 2d Session), agreed to March 24, 1952, with respect to the investigation of the administration of the Trading with the Enemy Act, subject to the conditions stated in the Treasury decision relating to the inspection of such returns by that Committee, approved by me this date.[1]

This Executive order shall be effective upon its filing for publication in the FEDERAL REGISTER.

HARRY S. TRUMAN

THE WHITE HOUSE,
November 15, 1952.

[F. R. Doc. 52–12380; Filed, Nov. 17, 1952; 10:11 a. m.]

EXECUTIVE ORDER 10413

RESTORING KURE (OCEAN) ISLAND TO THE JURISDICTION OF THE TERRITORY OF HAWAII

WHEREAS by Executive Order No. 7299 of February 20, 1936, Kure (Ocean) Island, together with the surrounding reef, was placed under the control and jurisdiction of the Secretary of the Navy for naval purposes; and

WHEREAS the said island is no longer needed for naval purposes, except as hereinafter indicated; and

WHEREAS it is deemed advisable and in the public interest that the island be restored to the jurisdiction of the Territory of Hawaii, with the reservation hereinafter provided:

NOW, THEREFORE, by virtue of the authority vested in me by section 91 of the act of April 30, 1900, 31 Stat. 159, as amended by section 7 of the act of May 27, 1910, 36 Stat. 447, it is ordered as follows:

Kure (Ocean) Island, together with the surrounding reef, is hereby restored to the possession, use, and control of the Territory of Hawaii, there being reserved, however, unto the Secretary of the Navy the right to maintain a radar reflector on such island, including the right of access to such radar reflector.

HARRY S. TRUMAN

THE WHITE HOUSE,
November 17, 1952.

[F. R. Doc. 52–12395; Filed, Nov. 17, 1952; 11:43 a. m.]

RULES AND REGULATIONS

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

PART 721—CORN

PROCLAMATIONS AND DETERMINATIONS WITH RESPECT TO MARKETING QUOTAS, COMMERCIAL CORN-PRODUCING AREA, AND ACREAGE ALLOTMENTS ON 1953 CROP

Sec.
721.401 Basis and purpose.
721.402 Marketing quotas on 1953 crop of corn.
721.403 Commercial corn-producing area for 1953.
721.404 1953 acreage allotments for corn.

AUTHORITY: § 721.401 to 721.404 issued under sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 304, 322, 327, 328, 371, 52 Stat. 38, as amended; 7 U. S. C. 1301, 1304, 1322, 1327, 1328, 1371.

§ 721.401 *Basis and purpose.* Section 721.402 is issued under sections 301 and 322 of the Agricultural Adjustment Act of 1938, as amended, to proclaim the total supply and normal supply of corn

[1] See Title 26, Chapter I, Part 458, *infra*.

for the marketing year beginning October 1, 1952, and to proclaim that marketing quotas will not be applicable to the 1953 crop of corn. Sections 721.403 and 721.404 are issued under sections 304 and 371 (b) of the Agricultural Adjustment Act of 1938, as amended, to announce that no commercial corn-producing area will be established for 1953 and that no national, county, or farm acreage allotments will be determined for 1953. Section 327 of the act requires the Secretary of Agriculture each year to ascertain and proclaim the commercial corn-producing area, and section 328 of the act requires him each year to ascertain and proclaim an acreage allotment for such area.

Section 371 (b) of the act authorizes the Secretary to dispense with the national marketing quota or national acreage allotment for any basic agricultural commodity if he finds, after appropriate investigation, that such action is necessary to effectuate the declared policy of the act, or to meet a national emergency or increase in export demand for the commodity. Section 304 of the act provides that in carrying out the purposes of the act it shall be the duty of the Secretary to give due regard to the maintenance of a continuous and stable supply of agricultural commodities from domestic production adequate to meet consumer demand at prices fair to both producers and consumers.

The findings and determinations made in § 721.402, which are based on the latest available statistics of the Federal Government, show that marketing quotas for the 1953 crop of corn are not required. Accordingly, § 721.402 states that marketing quotas will not be in effect for that crop.

Pursuant to section 371 (b) of the act, an investigation has been made to determine whether acreage allotments should be in effect for the 1953 crop of corn. On the basis of that investigation, it is hereby found and determined that it is necessary, in order to effectuate the declared policy of the act and to meet the present national emergency in food production, to dispense with national, county, and farm acreage allotments for the 1953 crop of corn. That action is made effective by the issuance of §§ 721.403 and 721.404.

Prior to taking the action herein, public notice was given (17 F. R. 9704), in accordance with the Administrative Procedure Act (5 U. S. C. 1003), that the Secretary was preparing to determine whether marketing quotas are required for the 1953 crop of corn and to determine and proclaim the commercial corn-producing area for 1953 and the acreage allotment of corn for such area for that crop. The notice also stated that the Secretary had under consideration the matter of dispensing with marketing quotas and acreage allotments under the applicable provisions of the act, including sections 304 and 371 (b). All written submissions which were received within the period stated in the notice have been considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

§ 721.402 *Marketing quotas on 1953 crop of corn.* The total supply of corn for the marketing year beginning October 1, 1952, is determined to be 3,793 million bushels. The normal supply of corn for such marketing year is determined to be 3,537 million bushels. The total supply for such marketing year does not exceed the normal supply therefor by more than 20 per centum. The average farm price for corn for each month of the marketing year beginning October 1, 1951, was in excess of 66 per centum of parity. Therefore, marketing quotas shall not be in effect on the 1953 crop of corn.

§ 721.403 *Commercial corn-producing area for 1953.* No commercial corn-producing area will be established for 1953.

§ 721.404 *1953 acreage allotments for corn.* No national, county, or farm acreage allotments of corn will be determined for 1953.

Issued at Washington, D. C., this 14th day of November 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-12354; Filed, Nov. 17, 1952; 8:57 a. m.]

Chapter VIII—Production and Marketing Administration (Sugar Branch), Department of Agriculture

Subchapter B—Sugar Requirements and Quotas

[Sugar Reg. 813, Amdt. 5]

PART 813—SUGAR QUOTAS AND PRORATIONS OF QUOTA DEFICITS

1952 DETERMINATION AND PRORATION OF AREA DEFICIT

Basis and purpose. This amendment is issued pursuant to the Sugar Act of 1948 for the purpose of prorating a deficit which is hereby determined in the quota for Hawaii for sugar to be brought into the continental United States in 1952. Section 204 (a) of the act provides that the Secretary shall from time to time determine whether any domestic area, the Republic of the Philippines, or Cuba will be unable to market its quota. If he so finds with respect to Hawaii, the quotas for other domestic areas and Cuba are required to be revised by prorating to such areas an amount of sugar equal to any deficit so determined on the basis of their existing quotas.

The Sugar Act provides that the quota for any domestic area, the Republic of the Philippines, Cuba, or other foreign countries as established under the provisions of section 202 shall not be reduced by reason of any determination of a deficit and makes the proration of any such deficit to areas able to supply the additional sugar a mere mathematical computation. The Domestic Beet Sugar area is excluded from the proration because it will not be able to utilize its statutory quota in 1952 and a deficit for this area was prorated earlier.

In order to afford sellers of sugar in affected areas an adequate opportunity to market the additional sugar authorized by this amendment, and thereby protect the interest of consumers, it is essential that this amendment be made effective immediately. Therefore, it is hereby determined and found that compliance with the notice, procedure and effective date requirements of the Administrative Procedure Act is unnecessary, impracticable and contrary to the public interest and the amendment herein shall become effective on the date of its publication in the FEDERAL REGISTER.

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1948 (61 Stat. 922, 7 U. S. C. Sup., 1100) and the Administrative Procedure Act (60 Stat. 237) Sugar Regulation 813, as amended, (16 F. R. 13032, 17 F. R. 5691, 6758, 8449, 9617) is hereby further amended by adding paragraphs (g) and (h) to § 813.33 to read as follows:

§ 813.33 *Determination and proration of area deficits.* * * *

(g) *Deficit in quota for Hawaii.* It is hereby determined, pursuant to subsection (a) of section 204 of the act, that for the calendar year 1952 Hawaii will be unable by an amount of 70,000 short tons of sugar, raw value, to market the quota established for that area in § 813.32.

(h) *Proration of deficit in quota for Hawaii.* An amount of sugar equal to the deficit determined in paragraph (g) of this section is hereby prorated, pursuant to subsection (a) of section 204 of the act, as follows:

Area:	*Additional quota in terms of short tons, raw value*
Mainland cane sugar	8,486
Puerto Rico	15,444
Virgin Islands	102
Cuba	45,968

Statement of bases and considerations. The progress of production, local use and shipping schedules for Hawaiian sugar is now sufficiently advanced to determine the quantity which will arrive in the continental United States in 1952 and the resulting deficit in the quota for Hawaii.

Beginning stocks and production in 1952 are now expected to aggregate 1,035,000 short tons, raw value. Charges to the 1952 quota for local consumption and stocks remaining for shipment in 1953 are estimated to total 53,000 short tons, raw value. The difference of 982,000 short tons, raw value, is expected to arrive in the continental United States during 1952, thus leaving the deficit in the mainland quota of 70,000 short tons, raw value, which is prorated to other areas by this action.

Exclusion of the Domestic Beet Sugar Area from the proration of deficit. A deficit in the Domestic Beet Sugar Area quota amounting to 200,000 short tons, raw value, was declared and prorated to other areas by Amendment 2 to this part. Distribution of beet sugar through October was about 1,360,000 tons and prospects for the balance of the year indicate that the adjusted quota of 1,600,000 tons is not likely to be exceeded. Accordingly, the beet area is excluded from the proration of the Hawaiian deficit.

After giving effect to the changes set forth in this amendment to Sugar Regulation 813, the quotas for all areas are as follows:

BASIC AND ADJUSTED QUOTAS, 1952

[Short tons, raw value]

Production area	Basic quota	Adjusted quota
Domestic beet sugar	1,800,000	1,600,000
Mainland cane sugar	500,000	533,296
Hawaii [1]	1,052,000	982,000
Puerto Rico [1]	910,000	970,599
Virgin Islands	6,000	6,400
Philippines [1]	974,000	774,000
Cuba [1]	2,523,211	2,888,916
Other foreign countries: [2]		
Belgium	205.5	
Canada	394.0	
China and Hongkong	201.2	.3
Czechoslovakia	183.9	
Dominican Republic [3]	4,657.1	13,395.7
Dutch East Indies	147.6	
Guatemala	233.9	
Haiti [3]	643.6	1,851.4
Honduras	2,397.2	
Mexico [3]	4,212.6	2,504.7
Netherlands	152.2	349.6
Nicaragua	7,138.2	3,764.9
Peru [3]	7,761.9	22,326.2
Salvador	5,732.7	
United Kingdom	244.9	562.7
Venezuela	202.5	
Other countries	30.0	33.5
Unallotted reserve	250.0	
Subtotal	34,789.0	44,789.0
Total	7,800,000	7,800,000

[1] The following quantities may be entered as direct-consumption sugar: Hawaii, 29,616 tons; Puerto Rico, 126,033; Philippines, 59,920; Cuba, 375,000.

[2] Regardless of deficit proration, by reason of sec. 204 (c) of the act each production area retains its basic quota.

[3] Prorations of basic quota may be filled with direct-consumption or raw sugar. Prorations of Philippine deficit shown in S. R. 811, Amdt. 4, may be filled with raw sugar only.

(Sec. 204, 61 Stat. 925; 7 U. S. C. Sup. 1114)

Done at Washington, D. C., this 12th day of November 1952. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary.

[F. R. Doc. 52-12281; Filed, Nov. 17, 1952; 8:48 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 20]

PART 610—MINIMUM EN ROUTE IFR ALTITUDES

ALTERATIONS

The minimum en route IFR altitudes appearing hereinafter have been coordinated with interested members of the industry in the regions concerned insofar as practicable. The altitudes are adopted without delay in order to provide for safety in air commerce. Therefore, compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act, would be impracticable. Part 610 is amended as follows:

1. Section 610.6025 *VOR Civil Airway No. 25* is amended by adding:

From—	To—	Minimum altitude
Oakland, Calif. (VOR)	Ukiab, Calif. (VOR)	6,000
Ukiah, Calif. (VOR)	Red Bluff, Calif. (VOR).	9,000

2. Section 610.6027 *VOR Civil Airway No. 27* is amended by adding:

From—	To—	Minimum altitude
Santa Barbara, Calif. (VOR):	Paso Robles, Calif. (VOR):	
Via dir. rad	Via dir. rad	8,000
Via W. alter	Via W. alter	7,000
Paso Robles, Calif. (VOR).	Salinas, Calif. (VOR)	6,000
Salinas, Calif. (VOR)	San Francisco, Calif. (VOR).	6,000
Paso Robles, Calif. (VOR), via E. alter.	Int. 335° true rad. Paso Robles, Calif. (VOR), and 134° true rad. Salinas, Calif. (VOR).	6,000
Int. 335° true rad. Paso Robles, Calif. (VOR), and 134° true rad. Salinas, Calif. (VOR).	San Francisco, Calif. (VOR), via E. alter.	7,000
San Francisco, Calif. (VOR).	Ukiab, Calif. (VOR)	6,000
San Francisco, Calif. (VOR), via E. alter.	Oakland, Calif. (VOR), via E. alter.	3,000
Oakland, Calif. (VOR), via E. alter.	Ukiab, Calif. (VOR), via E. alter.	6,000
Salinas, Calif. (VOR), via W. alter.	Ukiah, Calif. (VOR), via W. alter.	6,000
Ukiah, Calif. (VOR)	Fortuna, Calif. (VOR)	6,500
Fortuna, Calif. (VOR)	Crescent City, Calif. (VOR).	3,000
Crescent City, Calif. (VOR).	Medford, Oreg. (VOR)	8,000

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

The foregoing amendments shall become effective November 18, 1952.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-12258; Filed, Nov. 17, 1952; 8:46 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5643]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CHRISTIAN BROKERAGE CO. ET AL.

Subpart—*Discriminating in price under section 2, Clayton Act as amended—Payment or acceptance of commission, brokerage or other compensation under 2 (c):* § 3.820 *Direct buyers.* In connection with the purchase of food products or other commodities in commerce, receiving or accepting, directly or indirectly, from any seller, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon or in connection with any purchase made for respondents' own account; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interprets or applies sec. 2, 38 Stat. 730, as amended; 15 U. S. C. 13) [Cease and desist order, Christian Brokerage Company et al., Atlanta, Ga., Docket 5643, September 8, 1952]

In the Matter of Christian Brokerage Company, a Corporation, Gilmer A. Christian, Sr., Gilmer A. Christian, Jr., Bobby H. Christian, Individually and as Officers of Christian Brokerage Company, a Corporation

Pursuant to the provisions of an act of Congress entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (the Clayton Act), as amended by an act of Congress approved June 19, 1936 (the Robinson-Patman Act), and by virtue of the authority vested in the Federal Trade Commission by the aforesaid act, the Federal Trade Commission, on March 2, 1949, issued and subsequently served its complaint in this proceeding upon the respondents named in the caption hereof, charging each of them with violation of the provisions of subsection (c) of section 2 of the aforesaid Clayton Act, as amended. After denial by the Commission of respondents' motion to dismiss the complaint, respondents filed their answer admitting all of the material allegations of the complaint and waiving all intervening procedure. The Commission having served upon the respondents its tentative decision herein, together with leave to show cause why such tentative decision should not be entered as its final decision, and the Commission, having denied respondents' motion for revision of said tentative decision, this proceeding regularly came on for final consideration before the Commission upon the aforesaid complaint and respondents' answer thereto; and the Commission, having duly considered the matter and being now fully advised in the premises, makes this its findings as to the facts [1] and its conclusion drawn therefrom: [1]

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and respondents' answer admitting all of the material allegations of fact therein and waiving all intervening procedure, and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of subsection (c) of section 2 of the act of Congress entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (the Clayton Act), as amended by an act of Congress approved June 19, 1936 (the Robinson-Patman Act):

It is ordered, That respondent Christian Brokerage Company, a corporation, and its officers, and the individual respondents Gilmer A. Christian, Sr., Gilmer A. Christian, Jr., and Bobby H. Christian and the representatives, agents and employees of each of the respondents respectively, directly or through any corporate or other device, in connection with the purchase of food products or other commodities in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

Receiving or accepting, directly or indirectly, from any seller, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon or in connection with any purchase made for their own account.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order,

[1] Filed as part of the original document.

file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: September 8, 1952.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 52-12300; Filed, Nov. 17, 1952; 8:53 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5945]

PART 458—INSPECTION OF RETURNS

INSPECTION OF RETURNS BY SENATE COMMITTEE ON THE JUDICIARY

§ 458.315 *Inspection of returns by Senate Judiciary Committee in connection with investigation of administration of Trading with the Enemy Act.* (a) Pursuant to the provisions of sections 55 (a), 508, 603, 729 (a), and 1204 of the Internal Revenue Code (53 Stat. 29, 111, 171, 54 Stat. 989, 1008, 55 Stat. 722; 26 U. S. C. 55 (a), 508, 603, 729 (a), and 1204) and of the Executive order issued thereunder,[1] and income, excess-profits, declared value excess-profits, capital stock, estate, or gift tax return for the years 1941 to 1951, inclusive, shall, during the Eighty-second Congress, be open to inspection by the Senate Committee on the Judiciary or any duly authorized subcommittee thereof for the purpose of carrying out the provisions of Senate Resolution 245 (82d Congress, 2d Session), agreed to March 24, 1952, with respect to the administration of the Trading with the Enemy Act.

(b) The inspection of returns authorized by paragraph (a) of this section may be made by the Committee or a duly authorized subcommittee thereof, acting directly as a committee or as a subcommittee, or by or through such examiners or agents as the Committee or subcommittee may designate or appoint in its written request hereinafter mentioned. Upon written request by the Chairman of the Committee or of the authorized subcommittee to the Secretary of the Treasury, giving the names and addresses of the taxpayers whose returns it is necessary to inspect and the taxable periods covered by the returns, the Secretary of the Treasury and any officer or employee of the Treasury Department, with the approval of the Secretary of the Treasury, may furnish such Committee or subcommittee with any data relating to or contained in any such return, or may make such return available for inspection by the Committee or subcommittee or by such examiners or agents as the Committee or subcommittee may designate or appoint, in the office of the Commissioner of Internal Revenue. Any information thus obtained by the Committee or subcommittee thereof shall be held confidential: *Provided, however,* That any portion thereof relevant or pertinent to the purpose of the investigation may be submitted by the Committee to the United States Senate.

(c) Because of the immediate need of the said Senate Committee on the Judiciary to inspect the returns herein mentioned, it is hereby found that it is impracticable and contrary to the public interest to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

This Treasury decision shall be effective upon its filing for publication in the FEDERAL REGISTER.

E. H. FOLEY,
Acting Secretary of the Treasury.

Approved: November 15, 1952.

HARRY S. TRUMAN,
The White House.

[F. R. Doc. 52-12381; Filed, Nov. 17, 1952; 10:11 a. m.]

[1] See Title 3, Executive Order 10412, *supra.*

TITLE 30—MINERAL RESOURCES

Chapter IV—Federal Coal Mine Safety Board of Review

PART 401—RULES OF PROCEDURE

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401.36 Hearings and records.

AUTHORITY: §§ 401.1 to 401.36 issued under sec. 205, Pub. Law 552, 82d Cong.

DEFINITIONS

§ 401.1 *Definitions.* As used in this part:

(a) The terms "Board", "Bureau", "Director", "duly authorized representative of the Bureau", "mine", "operator", shall have the meanings set forth in section 201 (a) of the Federal Coal Mine Safety Act (66 Stat. 692).

(b) (1) The term "act" means the Federal Coal Mine Safety Act.

(2) The term "closing order" means an order issued under sections 203 (a), 203 (c) or section 206 of the act, which requires an operator to cause persons to be withdrawn from, and to be debarred from entering an area of a mine.

(3) The term "classification order" means an order issued under section 203 (d) or section 206 of the act which requires the operator of a mine to comply with the provisions of section 209 of the act which pertains to gassy mines, in the operation of such mine.

(4) The term "applicant" means an operator who has applied to the Board for annulment or revision of a closing order or of a classification order or other action within the power of the Board.

REVIEW OF ORDERS ISSUED UNDER SECTION 203 AND 206 OF THE FEDERAL COAL MINE SAFETY ACT

§ 401.2 *Application.* An operator notified of a closing order made pursuant to section 203 of the act may apply to the Board for annulment or revision of such order without seeking annulment or revision under section 206 of the act. An operator notified of a closing order or of a classification order made pursuant to section 206 of the act may apply to the Board for annulment or revision of such order.

§ 401.3 *Where to file.* Each application shall be filed with the Secretary of the Board, at the headquarters of the Board in Room 678-A, Reconstruction Finance Corporation Building, 811 Vermont Avenue NW., Washington 25, D. C.

§ 401.4 *Form of application.*[1] (a) The application shall include the following information:

(1) Name and address of operator.

(2) Name and address of mine.

(3) The order complained of. (This must be a complete copy of the order complained of.)

(4) The relief desired.

(5) Other facts sufficient to advise the Board of the nature of the proceeding.

[1] Forms for use of operators may be obtained, if desired, from the Secretary of the Board, Room 678-A, RFC Building, 811 Vermont Avenue NW., Washington 25, D. C., or from the field offices of the Accident Prevention and Health Division, Bureau of Mines.

(b) The application shall be signed by the operator.

§ 401.5 *Time for filing.* (a) Application for review of a closing order may be filed at any time while such order is in effect.

(b) Application for review of a classification order shall be filed not later than 20 days after receipt of such order.

§ 401.6 *Service; manner and proof.* (a) (1) The applicant shall send a copy of the application by registered mail to the Director at Washington, D. C.

(2) A copy of any request for temporary relief shall also be sent by registered mail to the Director at Washington, D. C.

(b) Proof of service must be made before the application or any request for temporary relief will be considered by the Board. A statement by the applicant or his attorney clearly stating the time, date, and place of mailing the copy will be accepted as prima facie proof of service.

§ 401.7 *Applicants; attorneys.* (a) Any person may file and prosecute his own application for review, or the application of a firm or partnership of which he is a member or an official, or of a corporation or association of which he is an officer or an official and which he is authorized to represent.

(b) Any applicant may be represented by an attorney at law in good standing admitted to practice before the Supreme Court of the United States, or the highest court of any State or Territory of the United States or of the District of Columbia.

§ 401.8 *Hearings; times and dates.* (a) Upon the filing of an application, time will be assigned at which the respondent shall begin his testimony-in-chief. At the close of testimony-in-chief, the applicant shall begin the testimony on his side, following which the respondent may present evidence to rebut the applicant's evidence. Notice of the time and place wil be sent to the parties by mail or telegram.

(b) Hearings may be set, advanced, postponed and adjourned by the Board, within its discretion as far as may be convenient and proper.

(c) If a request for temporary relief is filed under §401.12, and set for a hearing, the time for taking testimony may be reassigned after determination of such request.

§ 401.9 *Hearing; oral argument.* (a) Hearings will be held by the Board on the day appointed at the designated time and place as specified in § 401.8. If either party appears at the proper time, he will be heard. Immediately after the completion of the taking of testimony, the case will be taken up for oral argument except as it may be postponed by the Board. If the Board be prevented from hearing the argument at the time specified, a new assignment for argument will be made, or the case will be continued from day to day until heard. Unless it shall be otherwise ordered by the Board, oral arguments will be limited to not more than one-half hour for each party. After a contested case has been argued, nothing further relating thereto will be heard unless upon request of the Board.

(b) Petitions for re-hearings or modification of the decision must be filed before the limit of appeal expires.

§ 401.10 *Hearing; briefs.* Briefs shall be submitted in typewritten form. Five copies of each brief must be filed with the Board. Unless other dates are set by the Board, the brief of the respondent and applicant shall be filed before the close of the hearing.

§ 401.11 *Request for findings of fact and conclusions of law.* Either party may, in his brief, submit concise proposed findings of fact, supported by specific references to and analysis of the record, if desired, and conclusions of law, supported by citation of authorities. The Board may, in its discretion, adopt the proposed findings and conclusions in whole or in part, or enter an order without reference to the briefs.

§ 401.12 *Temporary relief.* (a) Pending a hearing and before a final order has been issued by the Board, the applicant may request the Board for temporary relief from the order complained of in the application.

(b) The request shall state fully and completely the relief desired and the reasons why applicant believes he is entitled to relief.

(c) The request shall be supported by affidavit of applicant and other persons having knowledge of the facts and circumstances, unless applicant elects to present witnesses in his behalf, or the request is based upon legal construction of the statute.

(d) (1) If the applicant has submitted supporting affidavits, the Board shall set a time within which the respondent shall file an answer supported by affidavits or set the matter for hearing.

(2) The Board shall act upon such request and answer thereto with or without oral argument at the discretion of the Board.

(e) (1) If the applicant elects to present witnesses in his behalf, the Board shall set a time and place for hearing at which applicant and respondent will be allowed to present evidence bearing on the request for temporary relief.

(2) At the conclusion of testimony, the parties will be allowed one-half hour each for oral argument, unless extended by the Board.

(f) The Board in its decision may deny or grant such temporary relief as it deems just and proper in the circumstances.

EVIDENCE, TESTIMONY, SUBPOENAS

§ 401.13 *Rules of evidence.* All proceedings involving the taking of testimony in hearings before the Board shall, so far as practicable, be conducted in accordance with the rules of evidence applicable in the District Courts of the United States under the rules of Civil Procedure for the District Courts of the United States, except as modified by the rules of the Board.

§ 401.14 *Compliance with rules.* Evidence touching the matter at issue which is not taken and filed in compliance with the rules of the Board will not be considered in determining the proceeding.

§ 401.15 *Manner of taking testimony.* (a) Witnesses may be examined orally under oath before one or more members of the Board, except that whenever the Board deems that the interest of the public or of the parties may be promoted or that delay or an expense may be minimized, it may order testimony of any or all witnesses to be taken by deposition in accordance with §§ 401.23 to 401.29.

(b) With consent of the Board and of all parties to the proceeding, the testimony of any witness or witnesses may be submitted in the form of an affidavit of such witness or witnesses.

(c) With the consent of the Board the parties may stipulate what a particular witness would testify to if called, or may stipulate as to any or all facts in the case of any party.

§ 401.16 *Copies of the testimony.* Hearings of the Board shall be recorded stenographically by a reporter for the Board. Copies of transcripts of hearings may be purchased from the Board's reporter at rates approved by the Board.

§ 401.17 *Inspection of testimony.* After testimony is filed with the Secretary of the Board, it may be inspected in the office of the Board by any party to the case, but it cannot be withdrawn for the purpose of copying. It may be copied by someone specially designated or approved by the Board for that purpose, under proper restrictions and safeguards.

§ 401.18 *Additional time for taking testimony.* If either party shall be unable to procure the testimony of a witness or witnesses within the time limited and said time has expired or is about to expire, and desires additional time for such purpose, he must file a motion, accompanied by a statement under oath setting forth specifically the cause of such inability, the name or names of the witness or witnesses, the facts expected to be proved by such witness or witnesses, the steps which have been taken to procure such testimony, and the dates on which efforts have been made to procure it. The Board in its discretion may grant or deny said motion.

§ 401.19 *Official records and printed publications.* Official records and any special matter contained in a printed publication, if competent evidence and pertinent to the issue, may be introduced in evidence by filing with the Board a notice to that effect, before the closing of the time for taking the testimony of the party, specifying the record or the printed publication, the page or pages thereof to be used, indicating generally its relevancy, and accompanied by the record or authenticated copy, or the printed publication or a copy. The notice and copies of the record or publication must be served on the other party.

§ 401.20 *Objections to admissibility.* Subject to the provisions of § 401.29, objection may be made to receiving in evidence any deposition or part thereof, or any other evidence, for any reason which would require the exclusion of the evi-

dence according to the established rules of evidence.

§ 401.21 *Issuance of subpoenas; compliance.* (a) Any member of the Board may, on the written application or a party or the Board's own motion, forthwith issue subpoenas requiring the attendance and testimony of witnesses and the production of relevant papers, books and documents in their possession and under their control. The subpoena shall show on its face the name and address of the party at whose request the subpoena was issued, the officer before whom the testimony is to be taken, and the time and place of the taking of such testimony and production of such records referred to in this paragraph.

(b) If a witness fails or refuses to comply with a subpoena, and his fees, as prescribed in § 401.22, have been tendered him, the Board or its legal counsel shall, in the name of the United States but in relation of such applicant, institute proceedings in the appropriate district court for the enforcement of such subpoena, but neither the Board's counsel nor the Board shall be deemed thereby to have assumed responsibility for the effective prosecution of the same before the court. (See sec. 205 (k) of the act.)

§ 401.22. *Witness fees and mileage; payment.* Witnesses summoned before the Board shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken, and the persons taking such depositions, shall be entitled to the same fees as are paid for like services in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance the witnesses appear, and the person taking the deposition shall be paid by the party at whose instance the deposition is taken.

DEPOSITIONS

§ 401.23 *Notice of examination of witnesses.* (a) Depositions may be taken after the party has filed with the Board a petition to take a deposition setting forth the grounds for same and the information in compliance with paragraphs (b) and (c) of this section, if the petition to take depositions has been approved by the Board.

(b) Before the depositions of witnesses shall be taken by a party, due notice in writing shall be given to the opposing party, as provided in paragraph (c) of this section, of the time when and place where the depositions will be taken, of the cause or matter in which they are to be used, and of the names and residences of the witnesses to be examined together with the name and address of the officer before whom the testimony is to be taken. The opposing party shall have full opportunity, either in person or by attorney, to cross-examine the witnesses. If the opposing party shall attend the examination of witnesses not named in the notice, and shall either cross-examine such witnesses or fail to object to their examination, he shall be deemed to have waived his right to object to such examination for want of notice. Neither party shall take testimony in more than one place at the same time, nor so nearly at the same time that reasonable opportunity for travel from one place of examination to the other cannot be had.

(c) The notice for taking testimony must be served (unless otherwise stipulated in an instrument in writing filed in the case) upon the attorney of record, if there be one, or, if there be no attorney of record, upon the adverse party. Reasonable time must be given therein for such adverse party to reach the place of examination. Such notice shall, with sworn proof of the fact, time, and mode of service thereof, be attached to the deposition or depositions, whether the opposing party shall have cross-examined or not.

§ 401.24 *Persons before whom depositions may be taken.* (a) Within the United States, or within a territory or insular possession of the United States, depositions shall be taken before an officer authorized to administer oaths by the laws of the United States or of the place where the examination is held.

(b) No such officer who is a relative or employee of either of the parties, or of their attorneys or agents, or interested, directly or indirectly, in the matter in controversy, either as counsel, attorney, agent or otherwise, shall be competent to take depositions, unless with the written consent of both parties.

§ 401.25 *Examination of witnesses.* (a) Each witness before testifying shall be duly sworn according to law by the officer before whom his deposition is to be taken.

(b) The testimony shall be taken in answer to interrogatories, with the questions and answers recorded in their regular order by the officer, or by some other person (who shall be subject to the provisions of § 401.24 (b)) in the presence of the officer except when his presence is waived on the record by agreement in writing of the parties. The testimony shall be taken stenographically and transcribed, unless the parties present agree otherwise.

(c) In the absence of all opposing parties and their attorneys or agents, testimony may be taken in longhand, typewriting, or stenographically.

(d) All objections made at the time of the examination to the qualifications of the officer taking the deposition, or to the manner of taking it, or to the evidence presented, or to the conduct of any party, and any other objection to the proceedings, shall be noted by the officer upon the deposition. The officer shall not have the power to rule upon any objections, but he shall note the objections upon the record.

(e) When the testimony has been transcribed, the deposition shall be carefully read over by the witness, or by the officer to him, and shall then be signed by the witness in the presence of the officer unless the reading and the signature be waived on the record by agreement of all parties. If the deposition is not signed because the witness is ill, deceased, cannot be found, or refuses to sign, such fact shall be included in the certificate of the officer.

§ 401.26 *Certification and filing by officer.* (a) The officer shall annex to the deposition his certificate showing:

(1) Due administration of the oath by the officer to the witness before the commencement of his testimony.

(2) The name of the person by whom the testimony was taken down, and whether, if not taken down by the officer, it was taken down in his presence.

(3) The presence or absence of the adverse party.

(4) The place, day, and hour of commencing and taking the deposition.

(5) That the deposition was read by or to the witness before he signed the same, and that he signed the same in the presence of the officer.

(6) The fact that the officer was not disqualified as specified in § 401.24 (b).

(b) If any of the requirements specified in paragraph (a) (1) through (6) of this section are waived, the certificate shall so state. The officer shall sign the certificate and affix thereto his seal of office, if he have such seal. Unless waived on the record by agreement, he shall then, without delay, securely seal in an envelope all the evidence, notices, and paper exhibits, inscribe upon the envelope a certificate giving the number and title of the case, the name of each witness, and the date of sealing, and deliver the envelope, in person or by registered mail, to the Secretary of the Board. If the weight or bulk of an exhibit shall exclude it from the envelope it shall, unless waived on the record by agreement of all parties, be authenticated by the officer and transmitted in a separate package, marked and forwarded to the Secretary of the Board by suitable means.

§ 401.27 *Form of deposition.* The pages of each deposition must be numbered consecutively, and the name of the witness plainly and conspicuously written at the top of each page. The testimony may be written on legal-size or letter-size paper, with a wide margin on the left-hand side of the page, and with the writing on one side only of the sheet. The questions propounded to each witness must be consecutively numbered and each question must be followed by its answer.

§ 401.28 *Depositions must be filed.* All depositions which are taken must be duly filed promptly with the Secretary of the Board. On failure to file within 5 days after completion of the testimony the Board at its discretion will not further hear or consider the contestant with whom the failure lies; and the Board may, at its discretion, receive and consider a copy of the withheld deposition, attested by such evidence as is procurable or disregard the deposition completely.

§ 401.29 *Effect of errors and irregularities in depositions.* Notice will not be taken of merely formal or technical objections which shall not appear to have wrought a substantial injury to the party raising them; and in case of such injury it must be made to appear that, as soon as the party became aware of the ground of objection, he gave notice thereof.

(a) *As to notice.* All errors and irregularities in the notice for taking a deposition are waived unless objection is promptly made and served in writing upon the party giving the notice.

(b) *As to disqualification of officer.* Objection to taking a deposition because of disqualification of the officer before whom it is to be taken is waived unless made before the taking of the deposition begins or as soon thereafter as the disqualification becomes known or could be discovered with reasonable diligence.

(c) *As to taking of deposition.* (1) Objections to the competency of a witness or to the competency, relevancy or materiality of testimony are not waived by failure to make them before or during the taking of the deposition, unless the ground of the objection is one which might have been obviated or removed if presented at that time.

(2) Errors and irregularities occurring at the oral examination in the manner of taking the deposition, in the form of the questions or answers, in the oath or affirmation, or in the conduct of the parties, and errors of any kind which might be obviated, removed, or cured if promptly presented, are waived unless seasonable objection thereto is made at the taking of the deposition.

(d) *As to completion and return of deposition.* Errors and irregularities in the manner in which the testimony is transcribed or the deposition is prepared, signed, certified, sealed, indorsed, transmitted, filed, or otherwise dealt with by the officer are waived unless a motion to suppress the deposition or some part thereof is made with reasonable promptness after such defect is, or with due diligence might have been, ascertained.

TERMINATION OF PROCEEDINGS

§ 401.30 *Prior to finding.* At any stage of the proceeding prior to the making of a finding by the Board, upon the submission by either the applicant or the Director, of a copy of an order annulling the order which the applicant is seeking review by the Board, an order dismissing the application may be entered by the Board in its discretion without further proceedings.

§ 401.31 *After hearing.* Unless terminated as provided in § 401.30, at the conclusion of the hearing or as soon thereafter as is practicable the Board will make a decision affirming, revising, or annulling the order under review.

§ 401.32 *Decision; form and content.* Each decision of the Board shall include the findings and order in writing, signed by the members of the Board who concur therein, and shall be entered on its official record, together with any written opinion prepared by the Board or by any member in support of or dissenting from any such findings or order. A true copy of the findings and order in each case shall be sent to all parties or to their attorneys of record and published by the Board.

APPEAL TO THE UNITED STATES COURT OF APPEALS

§ 401.33 *Appeal to the Court.* (a) Any party dissatisfied with a final order issued by the Board may appeal to the United States Court of Appeals for the circuit in which the mine affected is located.

(b) The appeal is initiated by the filing in the appropriate appellate court of a notice of appeal within thirty days from the date of the making of the order.

(c) A copy of such notice of appeal must be sent forthwith to the other party and to the Board.

§ 401.34 *Record on appeal.* (a) Upon receipt of the copy of the notice of appeal, the Secretary of the Board will prepare and file in the designated appellate court, a certified complete transcript of the record of the proceedings before the Board.

(b) The party making the appeal must pay the costs of the complete transcript of the records before it is filed with the court.

GENERAL

§ 401.35 *Amendments or additions; effective date.* All amendments or additions to these rules will be published in the FEDERAL REGISTER and, unless otherwise specified, shall become effective as of the date of adoption by the Board.

§ 401.36 *Hearings and records.* Hearings of the Board and the official records pertaining to proceedings under section 207 of the act shall be open to the public.

Adopted by the Federal Coal Mine Safety Board of Review at its office in Washington, D. C., on the 18th day of October 1952.

The major organizations of coal mine operators and coal miners have been consulted in the preparation of these rules of procedure. For these reasons it is determined that the notices and procedures prescribed by section 4 of the Administrative Procedures Act (60 Stat. 237; 5 U. S. C. 1003) are unnecessary. These rules of procedure shall become effective on the date of publication in the FEDERAL REGISTER.

TROY L. BACK,
Secretary of the Board.

[F. R. Doc. 52-12298; Filed, Nov. 17, 1952; 8:52 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter F—Personnel

PART 578—DECORATIONS, MEDALS, RIBBONS, AND SIMILAR DEVICES

MISCELLANEOUS AMENDMENTS

1. Subdivisions (iv) and (vii) of § 578.3 (b) (1) are revised to read as follows:

§ 578.3 *Awards of decorations.* * * *

(b) *By whom awarded.* * * *

(1) * * *

(iv) The Silver Star, Distinguished Flying Cross, Soldier's Medal, Bronze Star Medal, and Air Medal may be awarded by the commanders indicated in subdivision (i) of this subparagraph, to members of the armed forces of friendly foreign nations, provided concurrence has been obtained from the senior commander present in the theater of hostilities for an award to one of his own nationals, except as shown in (*a*) and (*b*) of this subdivision. Such concurrence will be regarded as constituting approval by his government for acceptance of the award. A recommendation for any of these awards will be forwarded to the Department of the Army when:

(*a*) The senior commander of a cobelligerent force is unable to obtain the approval of his government.

(*b*) An award to a flag or general officer or to the senior officer of the cobelligerent force present in the area is contemplated.

* * * * *

(vii) The Medal of Freedom may be awarded by the Secretary of the Army or by those officers designated by him.

* * * * *

2. Section 578.22 is revoked, and paragraphs (a) and (b) (1) (i) of § 578.23 are revised as follows:

§ 578.22 *Medal for Merit.* [Revoked.]

§ 578.23 *Medal of Freedom*—(a) *To whom awarded.* (1) The Medal of Freedom may be awarded to any person other than a member of the Armed Forces of the United States, who on or after December 7, 1941, has performed a meritorious act or service, which has either:

(i) Aided the United States in the prosecution of a war against an enemy or enemies,

(ii) Aided any nation engaged with the United States in the prosecution of a war against a common enemy or enemies, or

(iii) During any period of national emergency declared by the President or the Congress to exist, furthered the interests of the security of the United States or of any nation allied or associated with the United States during such period, and for which act or service the award of any other United States medal or decoration is considered inappropriate.

(2) Under special circumstances and without regard to the existence of a state of war or national emergency, the Medal of Freedom also may be awarded by, or at the direction of, the President to any person, not hereinafter specifically excluded, for performance of a meritorious act or service in the interests of the security of the United States. Established by Executive Order 9586, July 6, 1945, as amended by Executive Order 10336.

(b) *Standards*—(1) *Citizens and habitual residents of United States.* (i) The Medal of Freedom shall not be awarded to a citizen of the United States for any act or service performed within the continental limits of the United States.

* * * * *

3. Subparagraph (2) of § 578.25 (c) is revised as follows:

§ 578.25 *Foreign decorations.* * * *

(c) *Authorization not required.* * * *

(2) *Members of Organized Reserve Corps.* A Reserve officer while not on active duty and while not holding a position of profit or trust under the Government may, without specific consent of the Congress, accept a foreign decora-

tion. No decoration, the acceptance of which was not approved by the Congress, will be worn on the uniform.

[C5, AR 600–45; October 30, 1952] (R. S. 161; 5 U. S. C. 22)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 52–12255; Filed, Nov. 17, 1952; 8:45 a. m.]

Subchapter G—Procurement

PART 590—GENERAL PROVISIONS

PART 592—PROCUREMENT BY NEGOTIATION

PART 596—CONTRACT CLAUSES AND FORMS

PART 602—GOVERNMENT PROPERTY

ARMY PROCUREMENT PROCEDURE

1. In § 590.253–2, revise items listed under "Signal Corps" as follows:

§ 590.253–2 *Principal purchasing offices.* * * *

SIGNAL CORPS

Signal Corps Supply Agency, Philadelphia, Pa.
Laboratory Procurement Office, Signal Corps Supply Agency, Fort Monmouth, N. J.
AFSA Procurement Office, Procurement and Distribution Division, OCSigO, Washington, D. C.

* * * * *

2. In § 590.603–4 (a) (3) (iii) add agencies and symbols as follows:

§ 590.603–4 *System of numbering*—(a) *Contracts.* * * *

(3) * * *

(iii) The following letter symbols have been approved by the Comptroller General of the United States for use by the agencies indicated below:

Agency	*Symbol*
* * * * *	
Armed Services Textile and Apparel Procurement Agency	TAP
Far East Command (Moneys to U. S. by Japanese Govt.)	YEN
* * * * *	

3. In § 590.604–7, new paragraphs (c) and (d) are added as follows:

§ 590.604–7 *Negotiated contracts in general.* * * *

(c) *Armed Services Textile and Apparel Procurement Agency.* The Chief of Agency Staff, ASTAPA, and the Deputy Chief are authorized to approve awards of negotiated contracts that come within the ASTAPA Charter as approved by the Department of Defense in amounts not in excess of $3,000,000.

(d) *Armed Services Medical Procurement Agency.* The Chief, ASMPA, and his Deputy are authorized to approve awards of negotiated contracts that come within the ASMPA Charter as approved by the Department of Defense in amounts not in excess of $1,000,000.

4. A new § 592.157 is added as follows:

§ 592.157 *Submission of information on equal or identical bids.* See § 591.406–4 (b) of this subchapter, relating to procurement by formal advertising, the provisions of which are similarly applicable to procurement by negotiation.

5. In § 596.103–12 (c), paragraph (1) is revised as follows:

§ 596.103–12 *Disputes.* * * *

(c) *Major oversea commands.* (1) The following "Disputes" clause will be inserted in all contracts entered into by major oversea commands and to be performed outside the United States (48 States and the District of Columbia) in lieu of the clause set forth in §406.103–12 of this title:

DISPUTES

Except as otherwise provided in this contract, any dipsute concerning a question of fact arising under this contract which is not disposed of by agreement shall be decided by the Contracting Officer, who shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the Contractor. Within 30 days from the date of receipt of such copy, the Contractor may appeal by mailing or otherwise furnishing to the Contracting Officer, a written appeal addressed to the Commanding General (----------[1]), and the decision of the Commanding General (----------[1]), or that of his duly authorized representative (other than the Contracting Officer under this contract) for the hearing of such appeals, upon personal approval by the Commanding General(----------[1]), or his designated deputy, shall unless determined by a court of competent jurisdiction to have been fraudulent, arbitrary, capricious, or so grossly erroneous as necessarily to imply bad faith, be final and conclusive upon the parties hereto when the amount involved in the appeal is $50,000 or less; provided that, if no appeal is taken, within the said 30 days, the decision of the Contracting Officer shall be final and conclusive. When the amount involved is more than $50,000 the decision of the Commanding General (----------[1]), shall be subject to written appeal within 30 days after the receipt thereof by the Contractor to the Secretary of the Army and the decision of the Secretary or his duly authorized representative for the hearing of such appeals shall, unless determined by a court of competent jurisdiction to have been fraudulent, arbitrary, capricious, or so grossly erroneous as necessarily to imply bad faith, be final and conclusive; provided that, if no such further appeal is taken, within the said 30 days, the decision of the Commanding General (----------[1]) shall be final and conclusive. In connection with any appeal proceeding under this clause, the Contractor shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, the Contractor shall proceed diligently with the performance of the contract and in accordance with Contracting Officer's decision.

* * * * *

6. In § 602.603 add paragraph (c) as follows:

§ 602.603 *Sales, gifts, and loan of drawings and certain other property.* * * *

(c) The foregoing determination and requirement for a written agreement will not be mandatory in the case of Invitations for Bids and Requests for Proposals. Drawings, specifications, and data furnished need not be returned unless otherwise directed by Contracting Officer.

---

[1] Specify name of major oversea command concerned.

(1) The determination to request the return of such specifications, drawings, or any other data furnished the Contracting Officer should take into consideration the following factors:

(i) The current or probable future need of the Government for the items.

(ii) The residual value of such items.

(iii) Administrative and other expenses incident to handling and storage of such items.

(iv) The probable cost of reproduction of such items in event of future procurement.

(2) Classified material as a general rule will be required to be returned regardless of the criteria as established in subparagraph (1) of this paragraph.

[Proc. Cir. 21, October 29, 1952] (R. S. 161; 5 U. S. C. 22. Interpret or apply 62 Stat. 21; 41 U. S. C. Sup. 151–161)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 52–12257; Filed, Nov. 17, 1952; 8:45 a. m.]

PART 608—VETERINARY INSPECTION

INSPECTION OF ESTABLISHMENTS; AWARD OF CONTRACTS

Subparagraph (1) of § 608.1 (a) is revised as follows:

§ 608.1 *Inspection of establishments*—(a) *Award of contracts.* (1) (i) Contracts for foods of animal origin except when for brand name resale subsistence items as covered in subparagraph (2) of this paragraph, will be awarded to firms appearing on the Army Approved List, or to firms whose establishments are in the following categories.

(*a*) Establishments operating under the supervision of the Meat Inspection Division, Bureau of Animal Industry, United States Department of Agriculture.

(*b*) "Official plants" operating under the supervision of the Poultry Inspection Service, Production and Marketing Administration, United States Department of Agriculture, which are approved as sources for ready-to-cook poultry and rabbits or products thereof.

(*c*) Official plants operating under the Seafood Inspection Service of the Food and Drug Administration, Federal Security Agency, which are approved for canned processed shrimp only.

(ii) Brokers as defined in special regulations when awarded contracts must supply foods of animal origin that have originated in establishments appearing on the Army Approved List or from establishments that fall within the three categories mentioned above.

* * * * *

[C 4, SR 40–950–1, October 25, 1952] (R. S. 161; 5 U. S. C. 22)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 52–12256; Filed, Nov. 17, 1952; 8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 3, Amdt. 2]

CPR 3—Coal, Except Pennsylvania Anthracite, Delivered From Mine or Preparation Plant

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Amendment 2 to Ceiling Price Regulation 3 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 3 provides certain adjustments in ceiling prices and ceiling weighted average realization on all coal, except Pennsylvania anthracite, delivered from mines or preparation plants; revises the provision with respect to charges for transportation of coal in facilities owned or controlled by the producer; provides a certification procedure implementing Section 411 of the Defense Production Act of 1950, as amended; and makes certain changes in the reporting and record-keeping provisions of the regulation.

On or about the first of October 1952 the United Mine Workers of America and representatives of various segments of the bituminous coal producing industry agreed upon a new contract containing increases in rates and in payments to the Welfare and Retirement Fund. The Progressive Mine Workers Union also entered into an agreement with another segment of producers on a similar contract. These contracts cover about 80 percent of the National production of bituminous coal and provide for an increase in the daily basic pay of $1.90 and of 10 cents per ton in the operator payments to the Welfare and Retirement Fund.

Several of the operator groups thereafter submitted the new contracts to the Wage Stabilization Board for consideration and action. On October 18, 1952, the Board approved an increase of $1.50 a day (instead of the $1.90 requested) for miners employed by the member companies of the Bituminous Coal Operators Association. In its opinion the Board stated that specific approval of the royalty payment is not required. On October 22, 1952, the Board authorized an extension of the $1.50 increase to other employees who were not covered by the specific wage agreement submitted to the Board, but who in the past had customarily received wage increases similar to the increases granted to employees covered by the National Bituminous Wage Agreement. The authorized wage increases were approved to become effective on October 1, 1952.

The Bituminous Coal Operators Association and the United Mine Workers of America have filed a request for review with the Administrator of the Economic Stabilization Agency, specifically asking that the additional 40-cent increase in the basic daily pay be approved. This request for review is now being considered by the Administrator.

It appears, as a result of the wage rate adjustment of $1.50 per day and the increase in the Welfare Fund payments of 10 cents per ton, that an industry-wide weighted average cost increase of approximately 33–35 cents per net ton will be incurred by the mine operators. If the full increase of $1.90 per day is approved, the industry-wide weighted average cost increase will be approximately 39–42 cents per net ton. These cost increases will, of course, vary widely from mine to mine.

Despite the present softness in the general price level of bituminous coal sold at the mines there are various mines whose prices on certain sizes and grades of coal are at or near ceilings and whose current weighted average realizations are near their ceiling weighted average realizations. Data available to the Agency indicate that in the year 1951 this industry was actually earning about 18½ cents less than the minimum earnings permitted by the Industry Earnings Standard. To the extent that selling prices on most sizes and grades are low and that selling prices on some sizes and grades are at or near ceilings, the industry will be unable under existing conditions to earn the minimum under the Earnings Standard unless some adjustments are made to take care of the wage increases referred to above.

By this amendment ceiling prices may be increased by the actual per net ton amount of increased costs incurred. The ceiling weighted average realization control is retained at present levels except that a limited adjustment is permitted to any mine which is now at or near the ceiling weighted average realization, and which mine could not increase its ceiling prices without piercing its ceiling weighted average realization established under the regulation. Producers may calculate such cost increases on a new form provided by OPS, (which is substantially similar to Solid Fuels Form No. 2 used for a somewhat similar purpose in 1951) and such cost increases so calculated should be added to the cumulative average realization for the 12-month period ending September 30, 1952. If the sum of such cost increases and the cumulative weighted average realization exceeds the present ceiling weighted average realization, such sum will constitute the new ceiling weighted average realization for that particular mine. (If this computation yields an amount less than the present ceiling weighted average realization no adjustment is permitted in the ceiling weighted average realization.) The allowable adjustment in the ceiling weighted average realization as provided by the regulation, however, must be apportioned so that only 10 percent of the increase may be added in the first month and 10 percent additional may be added in each successive month until the full amount of the adjustment has been added. Such apportionment applies to the ceiling weighted average realization only and, except as limited by the ceiling weighted average realization, a producer may add the full amount of the authorized wage increase to his ceiling prices.

The new ceiling prices and ceiling weighted average realization provided by this amendment may be put into effect as of the date the authorized increased costs become effective, except that as to sales to retail dealers, the effective date of ceiling prices shall be November 14, 1952.

It is believed that the adjustments provided by this amendment will not result in any substantial increase in industry-wide price levels but will permit individual producers to obtain any relief to which they are entitled, without imposing a heavy administrative burden on this office.

This amendment also implements section 411 of the Defense Production Act of 1950, as amended, by providing for a certification procedure adapted to realization and ceiling price controls which are provided by this regulation. Section 411 of the Defense Production Act of 1950, as amended, provides that no person shall be required to furnish any reports or other information with respect to sales of materials or services at prices which are below ceiling, if such person certifies to the President that such sales are made at such prices. Because CPR 3 has a ceiling weighted average realization control in addition to ceiling price control, a producer to be exempt from the filing requirements of section 9 (d), must certify that he is selling all of his coal below ceiling prices and that the cumulative weighted average realization is below the established ceiling weighted average realization for his mine or mines. A producer after so certifying must file OPS Public Form No. 1 for any month or months in which he sells any size or grade of coal at ceiling prices, or for any month or months in which the cumulative weighted average realization equals the established ceiling weighted average realization for his mine or mines. This certification procedure does not apply to reports required in connection with the establishment or adjustment of ceiling prices or ceiling weighted average realization.

Section 6 (g) is amended to permit a producer who owns, controls, or hires transportation facilities to add to his applicable ceiling prices, f. o. b. mine, a sum not in excess of the highest charge for transportation costs between the same points made during the base period or the period January 1–15, 1951, inclusive. This provision was originally contained in the regulation but was subsequently deleted by Amendment 1 to CPR 3 when provision was made to allow the producer who owns his transportation facilities to add his actual transportation costs to his f. o. b. mine ceiling prices. Since then, the agency has been advised that many producers who own or control transportation facilities are unable to ascertain their actual transportation costs. Those producers use transportation facilities for other purposes, and cannot properly allocate costs to the delivery of coal. During the base period it was customary for them to make a uniform charge for such delivery. Accordingly, this amendment makes available both methods. The other provisions of section 6 (g), including the provision that the amount shall not

exceed the lowest carrier rate, are retained.

In section 6 (i) a correction is made by substituting the word "and" for the word "or" in connection with ceiling prices and ceiling weighted average realization. This was a clerical error in the original draft. A new provision is included requiring notification, by a new owner, of any change in ownership of a mine, and requiring the transferor to preserve or turn over to the transferee all records of transaction prior to the transfer which are necessary to enable the transferee to comply with the record provisions of the regulation.

Section 9 (a) is amended to provide for the reporting by producers (other than "small mine" producers) of increased costs and the increase authorized in the ceiling weighted average realization on OPS Public Form No. 155, which must be filed within 20 days after the increased costs become effective or within 20 days after the date of issuance of this amendment whichever is later.

A new sentence is added to section 9 (d) which provides that ceiling prices determined under section 4 (d) (2) of this amendment shall not be required to be filed.

This amendment, however, relieves "small mine" producers of the requirement that they file OPS Public Form No. 155 and a revised schedule of ceiling prices under the provisions of section 4 (d) and section 9 (a) and (c), as amended. Under section 2 (m), as amended, a mine (or group of mines referred to in section 4 (g)) is a "small mine" for any calendar year if, during the preceding calendar year, its entire production averaged 100 net tons or less of coal per day of operation, regardless of method of shipment. It is believed that the "small mine" producers should not be required to file these reports because of the administrative burden such filings would impose on OPS and the "small mine" producers; and because of the general agency policy to relieve small business of filing to the extent possible. If a "small mine" producer wishes to claim an adjustment in ceiling prices and ceiling weighted average realization, however, he shall determine the amount of adjustment by use of OPS Public Form No. 155 and keep it on file with other records required by section 9 to be retained by the producer.

Section 9 (f) is amended to require the producers to prepare and keep available, for a period of two years, records of the kind they customarily keep showing the prices charged for the coal.

In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 3, as amended, is further amended as follows:

1. Section 2 is amended by adding a new paragraph (m) as follows:

(m) A mine (or group of mines referred to in section 4 (g)) is a "small mine" for any calendar year if during the preceding calendar year its entire production averaged 100 net tons or less of coal per day of operation, regardless of method of shipment.

2. Section 4 (d) is amended by redesignating that section as 4 (d) (1) and adding two new subparagraphs as follows:

(2) Each producer who incurs increases in costs at his mine or group of mines during the period October 1, 1952 to April 30, 1953, inclusive, by reason of a wage and salary advance and other items related to the payroll and welfare payments (as calculated by such producer on OPS Public Form No. 155) which satisfy the policy and requirements of the Wage Stabilization Board of the Economic Stabilization Agency, may determine his ceiling prices and ceiling weighted average realization for such mine or group of mines as follows:

(i) *Ceiling Prices.* Add to the individual ceiling prices established by other provisions of this regulation for each size and grade of coal the amount of such increased costs.

(ii) *Ceiling weighted average realization.* Add to the cumulative weighted average realization for the 12-month period ending September 30, 1952, (as shown on OPS Public Form No. 1 for September 1952) the amount of such increased costs: *Provided, however,* That the allowable adjustment in the ceiling weighted average realization provided in this subparagraph (i. e., the difference between the previously established ceiling weighted average realization and the cumulative weighted average realization as adjusted for the increased costs) must be apportioned so that 10 percent of the increase in the ceiling weighted average realization may be added in the first month, and an additional 10 percent in each succeeding month until the full amount of the allowable adjustment has been made. Where the cumulative weighted average realization, as adjusted for the increased costs, is equal to or less than the ceiling weighted average realization otherwise established by this regulation, the previously established ceiling weighted average realization will continue in effect.

Example. A mine incurs increases of 40 cents per net ton from wage and salary advances and other items related to the payroll and welfare payments as of October 1, 1952, which satisfy the policy and requirements of the Wage Stabilization Board. This producer's ceiling weighted average realization is $5.00 per net ton, but his 12-month cumulative realization as shown on OPS Public Form No. 1 for the 12-month period ending September 30, 1952, is $4.75. The addition of the 40 cents increase to the cumulative weighted average realization of $4.75 results in a target realization of $5.15. Subtracting $5.00 (the previously established ceiling weighted average realization) from $5.15, leaves 15 cents which is the authorized increase in the ceiling weighted average realization. He can add 10 percent of the 15-cent increase in ceiling weighted average realization in October 1952, 20 percent of the increase in November 1952, etc., until the total of 15 cents per net ton is reached. Thus, he may not exceed $5.0150 in October; $5.0300 in November, etc. (If his mine's cost increase is 25 cents or less per ton, his ceiling weighted average realization, under the above facts, would remain at $5.00 per net ton.)

OPS Public Form No. 155 showing the increased costs and the increase authorized in the ceiling weighted average realization shall be filed by producers, other than "small mine" producers, as defined in section 2 (m), in accordance with the provisions of section 9 (a) (2) of this regulation.

The new ceiling prices and ceiling weighted average realization provided in this subparagraph may be put into effect as of the date the authorized increased costs become effective, except that as to sales to retail coal dealers, the effective date of ceiling prices shall be November 14, 1952.

(3) A producer who operates a preparation plant, a ramp or other loading facility, and who by usual custom obtains all or part of his coal from another producer or producers, shall determine his increased costs under subparagraph (2) of this section by calculating the weighted average increased cost of his own coal and purchased coal which results from the cost increases referred to in subparagraph (2).

3. Section 6 (g) is amended to read as follows:

(g) Where bituminous coal is delivered from a mine or preparation plant in any transportation facilities owned or subject to the control of the producer or subsidiary or affiliate of the producer, or in any transportation facilities hired by the producer, there may be added to the applicable ceiling price established herein, a sum not in excess of (1) the highest charge for transportation costs between the same points made during the base period or the period January 1–15, 1951, inclusive, or (2) the actual transportation costs incurred by such producer or distributor, or subsidiary or affiliate thereof, determined in a reasonable manner; but in no event shall such highest charge or actual transportation costs exceed the lowest common carrier rate, if any, for a haul between the same points: *Provided,* That there may also be added by a producer or distributor, an amount not in excess of the transportation tax imposed by section 620 of the Revenue Act of 1942, if said producer incurred such tax and if he separately states the amount of the tax in sales to all purchasers except the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

4. Section 6 (i) is amended to read as follows:

(i) Any purchaser, lessee or transferee of a mine for which ceiling prices and

a ceiling weighted average realization have been established, shall take the ceiling prices and ceiling weighted average realization previously assigned to the mine or other seller, lessor or transferor thereof. Immediately upon the transfer of a mine the purchaser, lessee or transferee shall notify in writing by registered mail, the Solid Fuels Branch, Rubber, Chemicals, Drugs and Fuels Division, Office of Price Stabilization, Washington 25, D. C., stating the date of such transfer and the name and address of the purchaser, lessee or transferee. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

5. Section 9 (a) is amended by redesignating paragraph (a) as (a) (1) and adding a new sub-paragraph as follows:

(2) OPS Public Form No. 155 showing the increased costs and the increase in the ceiling weighted average realization authorized by section 4 (d) (2), shall be filed by producers, other than "small mine" producers, within 20 days after the increased costs become effective, or within 20 days after the issuance of this amendment, whichever is later. This form shall be sent by registered mail, return receipt requested, to the Solid Fuels Branch, Rubber, Chemicals, Drugs and Fuels Division, Office of Price Stabilization, Washington 25, D. C. Although a "small mine" producer need not file OPS Public Form No. 155, he must calculate his adjustment under section 4 (d) (2) on this form and keep it on file in accordance with the provisions of section 9 (f) of this regulation. Copies of OPS Public Form No. 155 may be obtained by writing to the Solid Fuels Branch, Rubber, Chemicals, Drugs and Fuels Division, Office of Price Stabilization, Washington 25, D. C.

6. Section 9 (c) is amended to read as follows:

(c) Ceiling price schedules shall be filed by the producer, sales agent or distributor with the Director and with the regional office or offices of the Agency in the area or areas where the producer's coal is shipped, within ten days after the day such prices become effective. Copies of such price schedules shall be open for public inspection. All changes in ceiling prices shall be similarly filed, except that ceiling prices determined under section 4 (d) (2) shall not be filed.

7. Section 9 (d) is amended to read as follows:

(d) Each producer shall report each month the monthly realization to the Director, on or before the last day of the month following the month for which the report is filed, on OPS Public Form No. 1 and in accordance with instructions issued by the Office of Price Stabilization: *Provided,* That no producer shall be required to file reports under this paragraph if he files a certified statement that he is now selling all of his coal at prices below the ceiling prices established by this regulation and that his cumulative weighted average realization is now below the ceiling weighted average realization established for his mine or group of mines.. If in any month or months after such certification the producer makes a sale of any size or grade of coal at a price equal to the ceiling price established for that size or grade, or in any month or months in which the cumulative weighted average realization equals the ceiling weighted average realization established for his mine or group of mines, he must file the report required by this paragraph for such month or months. Certification must be in the following form:

CERTIFICATION OF SALES BELOW CEILING PRICES AND CEILING WEIGHTED AVERAGE REALIZATION AS PROVIDED IN SECTION 9 (d) OF CPR 3, AS AMENDED

It is hereby certified that _____ (Name of _____ is selling all coal from the producer)

_____
(Name of mine or group of mines)

at prices below the celing prices established by this regulation and that the cumulative weighted average realization for this mine (or group of mines) is now below the ceiling weighted average realization established for such mine (or group of mines).

_____
(Name of producer)

_____
(Address of producer)

_____
(Signature of authorized person)

_____
(Title or position of signer)

Date: _____

This statement must be addressed to the Solid Fuels Branch, Rubber, Chemicals, Drugs and Fuels Division, Office of Price Stabilization, Washington 25, D. C., and must be sent by registered mail, return receipt requested.

The certification procedure does not apply to reports required in connection with the establishment or adjustment of ceiling prices or ceiling weighted average realization.

8. Section 9 (f) is amended by adding a new sentence at the end thereof so that the paragraph will read as follows:

(f) Each person subject to this regulation shall preserve and keep available for inspection by the Director, for a period of two years, all records necessary to substantiate ceiling prices, base period realization and average realization established pursuant to this regulation. He shall also prepare and keep available for examination by the Director of Price Stabilization for a period of two years, records of the kind which he customarily keeps showing the prices charged for the coal.

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

Effective date. This amendment 2 to CPR 3 shall become effective as of October 1, 1952, except that as to sales to retail coal dealers the effective date of ceiling prices shall be November 14, 1952.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

NOVEMBER 14, 1952.

[F. R. Doc. 52-12355; Filed, Nov. 14, 1952; 5:02 p. m.]

[Ceiling Price Regulation 4, Amdt. 6]

CPR 4—ANTHRACITE DELIVERED FROM MINE OR PREPARATION PLANT

ADJUSTMENTS ON ALL SIZES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Amendment 6 to Ceiling Price Regulation 4 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 4 increases the ceiling prices on all sizes of anthracite by amounts ranging from 40 cents to $1.35 per net ton, f. o. b. the mines. These increases are necessary to permit the anthracite-producing industry to meet the Industry Earnings Standard.

An industry earnings survey of the anthracite-producing industry was made earlier this year at the request of the Anthracite Industry Advisory Committee. As a result of the findings of the survey the ceiling prices of the industrial sizes (buckwheat No. 1 and smaller) were adjusted in the amount of 75 cents per ton, becoming effective on August 12, 1952. This interim adjustment did not exhaust the entire amount of entitlement of the industry under the Industry Earnings Standard.

Further study of industry earnings shows that the industry is entitled to an additional price increase averaging 35.5 cents per ton to permit it to meet the industry earnings standard. The increases provided in this amendment include that amount.

On October 3, the ceiling prices of all sizes of anthracite were increased in the amount of 20 cents per net ton, reflecting the additional payment into the Anthracite Health and Welfare Fund agreed to by the industry and the United Mine Workers of America. The increase in the welfare payment was included in an interim agreement pending the completion of negotiations on wage and other matters.

On November 1, 1952, the representatives of the anthracite industry and UMW of A reached an agreement on wage increases to be paid the miners, effective November 16, 1952, as well as further changes in the terms and conditions of employment. The agreement sets forth in detail a method of applying the wage increases which have been granted to employees paid daily and on piece-work rates.

The anthracite industry wage agreement has been submitted to the Wage Stabilization Board for approval and is now being considered by that Agency.

An increase of at least $1.50 per day for the anthracite industry, paralleling that already approved for bituminous will be effective retroactive to November 16, 1952, upon formal approval by the Wage Stabilization Board. Thus the anthracite producers will begin to incur substantially higher production costs beginning November 16, which the industry cannot absorb under the Industry Earnings Standard.

The increases included in this price action, therefore, reflect the amount to which the industry is entitled under the Industry Earnings Standard including a cost increase based on an average wage increase of $1.50 per day, amounting to a total of $1.047 per net ton. If a higher rate increase is hereafter authorized a further adjustment may be required.

Prices on the smaller sizes of anthracite coal have traditionally been lower than on the larger prepared sizes. This reflects strong competition with other forms of solid fuels and with oil and gas. In order to permit the industry to obtain earnings to which it is entitled under the Industry Earnings Standard, the various sizes of anthracite are being increased by amounts ranging from 40 cents per net ton on buckwheat Nos. 4 and 5 and smaller to $1.35 on broken size.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability.

In the judgment of the Director of Price Stabilization this amendment is generally fair and equitable and is necessary to effectuate the purposes of Title IV of the Defense Production Act, as amended.

In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

1. The ceiling prices in Appendix A, provision 1, as amended, are further amended by an increase on all sizes so that provision 1 to Appendix A will read as follows:

1. The following ceiling prices, subject to the exceptions set forth in this regulation, are established for Anthracite f. o. b. mine:

	Pet net ton
Broken	$15.75
Egg	16.00
Stove	16.25
Chestnut	16.15
Pea	12.85
Buckwheat No. 1	10.10
Rice	8.35
Barley	6.55
Buckwheat No. 4 and smaller	5.45

2. The ceiling prices for "sub-standard" anthracite in Appendix A, provision 3, as amended, are further amended by an increase on all sizes so that provision 3 of Appendix A will read as follows:

3. The ceiling prices for anthracite (including anthracite for which a ceiling price has been established by any special order issued under this regulation, or otherwise), which does not meet the quality standards and price specifications set forth in Appendix B hereof, shall be the applicable ceiling price set forth below:

	Per net ton
Broken	$14.60
Egg	14.85
Stove	15.10
Chestnut	15.00
Pea	11.85
Buckwheat No. 1	9.40
Rice	7.75
Barley	6.05
Buckwheat No. 4 and smaller	5.05

(Sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 2154)

Effective date. This amendment to CPR 4 shall become effective November 16, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

NOVEMBER 14, 1952.

[F. R. Doc. 52-12356; Filed, Nov. 14, 1952; 5:02 p. m.]

[Ceiling Price Regulation 34, Supplementary Regulation 30]

CPR 34—SERVICES

SR 30—AUTOMOBILE AND VEHICLE WASHING SERVICES IN TEXAS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 30 to Ceiling Price Regulation 34, is hereby issued.

STATEMENT OF CONSIDERATIONS

This action is an emergency action designed to relieve severe financial hardships now being suffered by various service establishments in providing car washing services in Texas communities which arise from the serious drought conditions existing in that State.

Information received in this office indicates that due to shortages of water resulting from the drought, municipalities have adopted, or are considering the adoption, of emergency ordinances which prohibit automobile washing establishments and service stations from using water obtained from municipal water distribution systems to wash automobiles and other vehicles. As a result such service establishments have been forced to dig wells, haul water in, install equipment to reclaim water, to buy water from peddlers, and install pressure equipment.

The action permits suppliers of car washing services to increase the ceiling price established under Ceiling Price Regulation 34 by 25¢ per car.

The amount of this increase is approximately the adjustment which would be granted upon individual applications for adjustment under the provisions of section 20 (a) of Ceiling Price Regulation 34. However, the data available is too incomplete to permit adjustments on an individual or area basis except for a temporary period. In any event, the conditions which would justify such adjustments at this time are of a temporary nature, which it is anticipated may be alleviated within three months.

The increased charges may be made for a period of 90 days from the effective date of the regulation, unless that time is extended or shortened by further action by the Director of Price Stabilization.

In view of the emergency nature of this supplementary regulation circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

REGULATORY PROVISIONS

Sec.
1. What this regulation does.
2. Where this regulation applies.
3. Eligibility to use the increase permitted by this supplementary regulation.
4. Amount of emergency increase.
5. Records.
6. Termination.

AUTHORITY: Sections 1 through 6 issued under Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this regulation does.* This regulation authorizes a temporary emergency increase in ceiling prices for sellers of the service of washing automobiles and other vehicles in certain drought-stricken areas in Texas.

SEC. 2. *Where this supplementary regulation applies.* This supplementary regulation applies only in locations in the State of Texas which have adopted emergency municipal ordinances which prohibit the use of water for the purpose of washing automobiles and other vehicles with water obtained from a water distribution system regularly supplying water to such municipalities.

SEC. 3. *Eligibility to use the increase permitted by this supplementary regulation.* You may increase your ceiling price for washing automobiles and other vehicles, if you meet all of the following conditions:

(a) You must have normally since January 25, 1951 taken water which you use to wash automobiles and other vehicles from a water distribution system which regularly supplies water to a municipality in the State of Texas whose governing body has recently adopted an emergency ordinance prohibiting the use of water for such purpose.

(b) In order to be able to continue washing automobiles and other vehicles, you must have incurred substantial additional expense, which you would not have incurred if you had not been prohibited by the action of the municipal authorities from using water for that purpose, such as drilling a well, hauling water, or providing additional equipment such as pumps, water storage tanks, etc.

(c) You must have filed your ceiling price for washing automobiles and other vehicles with your local OPS Office in accordance with section 18 of Ceiling Price Regulation 34.

SEC. 4. *Amount of emergency increase.* If you meet the eligibility requirements of section 3 of this supplementary regulation, you may increase your legally established OPS ceiling price for washing

automobiles and other vehicles by 25 cents per vehicle.

SEC. 5. *Termination.* This supplementary regulation is effective immediately. However, the increase in your ceiling prices permitted by section 4 of this supplementary regulation may be charged until February 16, 1953, unless this supplementary regulation is revoked prior to that date, or the time is further extended by the action of the Director. Upon the expiration of this supplementary regulation, or prior termination or upon the expiration of any extension thereof, you must revert to your ceiling prices established under Ceiling Price Regulation 34, as amended, for the service of washing automobiles and other vehicles. If you elect to use this regulation all provisions of Ceiling Price Regulation 34, as amended, except to the extent they are inconsistent with the provisions of this supplementary regulation remain applicable to you.

Effective date. This supplementary regulation to Ceiling Price Regulation 34 is effective November 17, 1952.

JOSEPH H. FREEHILL,
Acting Director of Price Stabilization.

NOVEMBER 17, 1952.

[F. R. Doc. 52-12389; Filed, Nov. 17, 1952; 2:00 p. m.]

[Ceiling Price Regulation 61, Amdt. 3]

CPR 61—EXPORTS

REPORTING UNDER SECTION 5 (B) OF CEILING PRICE REGULATION 61

Pursuant to the Defense Production Act of 1950, as amended, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong., Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 3 to Ceiling Price Regulation 61 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment is designed to facilitate the processing by District Offices of this Agency of reports made under section 5 of Ceiling Price Regulation 61. Section 5 is the section that sets forth the method of calculating base period markups for exporters. That section also contains the reporting provisions for these sellers. Prior to this amendment, under the provisions of CPR 61, the base period markup was reported to the National Office of the Office of Price Stabilization.

This amendment provides that all future reports under section 5 be furnished to the District Offices by registered letter. It is planned that the reports will be processed by the District Offices which are, as a result of their location, better able to check the reports and to discuss with the persons reporting, any problems affecting them. An appropriate delegation of authority is being issued to the Directors of Regional Offices with authority to redelegate to the Directors of District Offices.

In view of the procedural nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Section 5 (b) of CPR 61 is amended to read as follows:

(b) In every case where you, whether merchant exporter or producer exporter, calculate for the first time the percentage markup you are going to use or do use in the export sale or sale for export of a commodity or product line covered by this regulation, you shall furnish the Office of Price Stabilization District Office in your area by registered letter with the following information in duplicate:

(1) The commodity or product line, including a list of the commodities in the product line;

(2) Whether you are a merchant exporter, or a producer exporter, or both, in respect to each commodity or product line listed;

(3) The class of buyer;

(4) Whether an export sale or sale for export;

(5) Your representative calendar quarter; and

(6) The percentage markup you are permitted to use under this regulation.

(7) If you are not permitted to take a markup, or it is not your present sales policy to take a permissible markup on your export sales or sales for export, you are nevertheless required to report this fact.

This information shall be reported within fifteen days after your first sale of the commodity or product line under this regulation, and may be provided on OPS Public Form No. 72 available at any office of the Office of Price Stabilization. Once you have furnished such information for the sale of a particular commodity or product line to a particular class of buyer, you need not again advise the Office of Price Stabilization with respect to your pricing of that type of sale.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 3 to Ceiling Price Regulation 61 shall become effective November 22, 1952.

TIGHE E. WOODS,
Director of Price Stabilization.

NOVEMBER 17, 1952.

[F. R. Doc. 52-12386; Filed, Nov. 17, 1952; 11:07 a. m.]

[Ceiling Price Regulation 65, Amdt. 2]

CPR 65—CEILING PRICES FOR CANNED SALMON

EXTENDS COVERAGE OF REGULATION TO INCLUDE 1952 PACK

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Ceiling Price Regulation 65 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment retains the specific dollars-and-cents ceiling prices, for sales by canners of canned salmon of the 1952 pack, which were established for sales of the 1951 pack by Ceiling Price Regulation 65, as amended. It also provides for the processing of applications for special ceiling prices by the Regional Director of Office of Price Stabilization, Region 13, Seattle, Washington, rather than by the National Office.

The retention of the 1951 ceiling price levels of course preserves the differentials by species and grades. The bases for these differentials and for the pricing technique in general are explained in the Statements of Considerations to Ceiling Price Regulation 65 and to Amendment 1 thereof, and those explanations are incorporated herein by reference. This Statement of Considerations will discuss only the reasons for applying to the 1952 pack the ceiling prices established for the 1951 pack.

Projection of the statistics now available for 1952 indicates a total catch approximating that of 1951, though for any particular species the catch may be higher or lower than in 1951. The total catch of salmon as of September 13, 1952, was 3,383,101 cases compared with 3,399,819 cases as of September 15, 1951. The fishing season for salmon is practically completed in the middle of September. Indications are that over-all cost and production changes in 1952 will be such as to result in no substantial differences from over-all cost and production in 1951.

In view of these circumstances, and since the 1951 level of ceiling prices for different species has been found by the industry to be reasonable, it is felt that the continuance of these 1951 ceiling price levels for the 1952 pack is a fair basis for setting the ceiling price level for the 1952 pack.

Besides the continuance of the 1951 ceiling price level for the 1952 pack, this amendment makes an important change in section 4 (d). Instead of applying to the National Office of the Office of Price Stabilization for ceiling prices for varieties, container sizes, or types and styles of pack not listed in section 4 (a), the seller now will apply to the Regional Office of Region 13 of the Office of Price Stabilization at Seattle, Washington. This change is in accordance with the policy of decentralization wherever it can be accomplished without impairing service by the Office of Price Stabilization. The head offices of all the large salmon packers are in Region 13, and hence it is thought that this change in procedure will in some cases obviate the necessity of voluminous correspondence. Processing of such applications in Region 13 will also, it is felt, facilitate clarification of questions of fact which arise from time to time in such cases.

In the formulation of this amendment, the Director of Price Stabilization has, to the extent practicable, consulted with industry representatives, including trade association representatives, and has given consideration to their recommendations. In the judgment of the Director, this amendment is generally fair and equitable, is necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and complies with all the applicable standards of that act.

AMENDATORY PROVISIONS

Ceiling Price Regulation 65, as amended, is further amended in the following respects:

1. Section 1 is changed so as to read as follows:

SECTION 1. *Coverage of this regulation.* This regulation establishes specific dollars-and-cents ceiling prices for the sale by canners of all canned salmon of the 1951 and 1952 packs. These ceiling prices supersede those established by the General Ceiling Price Regulation.

2. Section 4 (d) is amended so as to delete the words "Fish Branch, Office of Price Stabilization, Washington 25, D. C." and substitute therefor: "Director of Region 13 of the Office of Price Stabilization, 506 Second Avenue, Seattle, Washington."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 2 to Ceiling Price Regulation 65 is effective November 22, 1952.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

TIGHE E. WOODS,
Director of Price Stabilization.

NOVEMBER 17, 1952.

[F. R. Doc. 52-12390; Filed, Nov. 17, 1952; 4:00 p. m.]

Chapter IV—Salary and Wage Stabilization, Economic Stabilization Agency

Subchapter A—Salary Stabilization Board

[General Salary Order 16]

GSO 16—WAGES, SALARIES AND OTHER COMPENSATION OF EMPLOYEES UNDER THE JURISDICTION OF THE WAGE STABILIZATION BOARD PRIOR TO JUNE 30, 1952

STATEMENT OF CONSIDERATIONS

Under the provisions of the Defense Production Act Amendments of 1952, jurisdiction over the wages, salaries and other compensation of supervisors, as such term is defined in the Labor Management Relations Act, 1947, as amended, was transferred to the Salary Stabilization Board. The statute also fixes the respective jurisdictions of the Wage Stabilization Board and the Salary Stabilization Board. As a result thereof prior transfers of jurisdiction of certain categories of employees to the Wage Stabilization Board made by the Salary Stabilization Board or the Office of Salary Stabilization are automatically terminated and jurisdiction over the compensation of such employees rests again with the Salary Stabilization Board. However, questions have arisen as a result of these changes in the jurisdiction of the Boards and as to the power and duty of the Economic Stabilization Administrator as to the compensation properly payable to such employees, particularly where special approvals by the Wage Stabilization Board of changes in their compensation are relied upon. This General Salary Order is issued to clarify the situation with regard to the compensation which employers may properly pay to such employees and which they may properly receive, and the extent to which the Salary Stabilization Board will ratify action taken by employers pursuant to Wage Stabilization Board authorization.

REGULATORY PROVISIONS

Sec.
1. Compensation of employees under the jurisdiction of the Wage Stabilization Board prior to June 30, 1952.
2. Record keeping.

AUTHORITY: Sections 1 and 2 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154.

SECTION 1. *Compensation of employees under the jurisdiction of the Wage Stabilization Board prior to June 30, 1952.* (a) As used in this order, the term "employees" shall be limited to employees or categories of employees whose wages, salaries and other compensation prior to June 30, 1952, were under the jurisdiction of the Wage Stabilization Board and since June 30, 1952, are under the jurisdiction of the Salary Stabilization Board pursuant to or as a result of the provisions of the Defense Production Act of 1950, as amended: *Provided, however,* That this order shall not apply on and after August 26, 1952, to driver salesmen, adjustments in whose wages, salaries and other compensation are as of that date subject to the provisions of section 10 of General Salary Stabilization Regulation 5, as amended.

(b) Payment of compensation made prior to the date of publication of this order in the Federal Register to employees, as defined in paragraph (a) of this section, which conforms to the provisions of self-administering regulations issued under the authority of the Wage Stabilization Board or a specific determination of such Board, is ratified, confirmed and approved, and compensation may be continued to be paid at the rate in effect on such date.

(c) Employers are authorized to adjust hereafter the compensation of such employees under the following conditions:

(1) That the adjustment, including compensation of new employees, is in conformity with the employer's practices, compensation rate schedules or plans adopted or continued pursuant to the provisions of self-administering regulations issued under the authority of the Wage Stabilization Board and in effect on June 30, 1952, or a specific determination of such Board made prior to such date of publication of this order in the Federal Register.

(2) That the employer has not been specifically directed otherwise by the Office of Salary Stabilization.

(d) Other future adjustments in compensation not within the scope of this section shall be in accordance with the provisions of the regulations or orders of the Salary Stabilization Board or determinations of the Office of Salary Stabilization.

SEC. 2. *Record keeping.* Any employer granting adjustments in wages, salaries and other compensation to employees pursuant to this order shall comply with the applicable record keeping requirements of section 101 of General Salary Stabilization Regulation 1, Amended.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

By order of the Salary Stabilization Board, October 2, 1952.

JUSTIN MILLER,
Chairman.

Approved: NOVEMBER 12, 1952.

ROGER L. PUTNAM,
Economic Stabilization Administrator.

[F. R. Doc. 52-12394; Filed, Nov. 17, 1952; 11:35 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-41, as Amended November 17, 1952]

M-41—METALWORKING MACHINES—DELIVERY

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amended order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

EXPLANATORY

This amended order revises NPA Order M-41, as amended July 25, 1952, by making certain changes, among which are the following:

1. Section 1 (b) is deleted because of the revocation of NPA Order M-41A.
2. Section 3 (a) is deleted so that the frozen period will operate against an unrated order.
3. Section 4 is revised to clarify the scheduling of unrated orders.
4. Section 7 is revised to clarify procedures incident to revisions in the Numerical Preference List.
5. Section 8 is revised to conform to the changes in section 7.
6. Section 10 is revised to conform to the change in section 3.
7. A new section numbered 14 concerning applications for ratings for metalworking machines is added.
8. Exhibit A is revised to eliminate balancing machines and certain kinds of measuring and testing machines.
9. Exhibit C is discontinued.
10. Exhibit D is revised to clarify certain definitions therein.

REGULATORY PROVISIONS

Sec.
1. What this order does.
2. Definitions.
3. Limitations on deliveries and acceptance of orders.
4. Allocation of deliveries to service and other purchasers.
5. Distribution of production among service groups.
6. Treatment of fractions.

AUTHORITY: Sections 1 to 18 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp.; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

SECTION 1. *What this order does.* This order regulates the delivery of metalworking machines. It requires all producers to schedule their deliveries in accordance with the provisions of this order.

SEC. 2. *Definitions.* As used in this order:

(a) "Metalworking machine" means any new, nonportable, power-driven item of plant equipment which is listed on Exhibit A, appearing at the end of this order, and has a producer's list price for the basic machine itself of $1,000 or more. The producer's list price for the basic machine itself means the sale price at which the producer's catalog or other price publication lists the basic machine, exclusive of the motor, motor drive, or any attachments therefor, unless the motor, motor drive, or attachments are initially built into the basic machine itself, as an integral part thereof, in which case the producer's list price for the basic machine shall be the sale price at which the producer lists the machine as an assembled unit. The term "metalworking machine" includes all fixtures, equipment, and tooling covered by the original purchase order which are required to be delivered with the basic machine to make it usable in production for the purposes intended. It does not include replacements, spare parts or equipment, or extra tooling.

(b) "Producer" means any person engaged in the manufacture and production of metalworking machines.

(c) "Service group" means a subdivision of the Department of Defense. For the purposes of this order, there are deemed to be seven such subdivisions, consisting of the following: Ordnance, Army less Ordnance, Bureau of Ordnance (Navy), Bureau of Ships (Navy), Miscellaneous Bureaus and Offices (Navy), Bureau of Aeronautics (Navy), and Air Force.

(d) "Service purchasers" means those persons whose purchase orders for metalworking machines call for delivery to a service group, or to one of such group's prime contractors, or to a subcontractor of such a prime contractor. However, no such purchaser shall be considered a service purchaser unless his order is accompanied by a DO rating in accordance with existing regulations.

(e) "Other purchasers" means all purchasers other than service purchasers, whether or not a DO rating has been assigned to their purchase orders.

(f) "Size" includes all of those dimensions or variations of a particular type of metalworking machine which can be used interchangeably for production purposes. Size classification shall be that used by each producer on the effective date of this order, unless he is hereinafter authorized to use a different classification. Producers may apply for such permission by letter to the National Production Authority (hereinafter called "NPA").

(g) "Firm order" means an order which is accompanied by specification or other description of a metalworking machine in sufficient detail to enable a producer to place such machine in his production schedule.

(h) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States Government or of any other government.

(i) "GSA" means the United States Government agency known as the General Services Administration, created under the Federal Property and Administrative Services Act of 1949 (63 Stat. 377); or such other Federal agency to which the Defense Materials Procurement Agency may hereafter redelegate the functions specified or described in section 13 of this order under E. O. 10281 (16 F. R. 8789), and the Defense Production Act of 1950, as amended (64 Stat. 798, as amended; 50 U. S. C. App. Sup. 2061–2166); or the Defense Materials Procurement Agency if said agency does not redelegate such functions.

SEC. 3 *Limitations on deliveries and acceptance of orders.* No producer shall accept a purchase order that is not rated for any metalworking machine of the classifications listed in Exhibit D of this order unless specifically authorized by NPA pursuant to a request filed in accordance with section 15 of this order. No producer shall deliver against a purchase order that is not rated any metalworking machine of the classifications listed in Exhibit D of this order unless specifically authorized by NPA pursuant to a request filed in accordance with section 15 of this order.

SEC. 4. *Allocations of deliveries to service and other purchasers.* (a) Starting December 1, 1952, and on the first of each succeeding month, each producer shall schedule his deliveries of each size of metalworking machines in accordance with the provisions of this section for the fourth ensuing month, for example, deliveries for the month of March would be scheduled on December 1st, and March would be the "delivery month."

(b) This paragraph (b) applies only to purchase orders for metalworking machines of the classifications listed in Exhibit D of this order. If a producer can fill from his production all rated orders requiring delivery in the month being scheduled, then he shall arrange his schedule so as to fill such rated orders. If a producer cannot fill from his production all rated orders requiring delivery in the month being scheduled, then he shall arrange his schedule of deliveries as follows:

(1) To the extent that a producer has rated orders on hand from service purchasers requiring delivery in the month being scheduled of less than 70 percent of his production of any size in that month, he shall arrange his schedule so as to fill all rated orders for that size requiring delivery to service purchasers in that month, and schedule the balance so as to fill rated orders from other purchasers.

(2) To the extent that a producer has rated orders on hand from service purchasers requiring delivery in the month being scheduled of more than 70 percent of his production of any size in that month, he shall arrange his schedule so as to fill rated orders for that size to service purchasers equivalent to 70 percent of his production of that size, and shall schedule so much of the balance as may be necessary to fill rated orders on hand from other purchasers requiring delivery in the month being scheduled and thereafter, if any balance still remains, he shall schedule additional rated orders from service purchasers.

(c) This paragraph (c) applies only to purchase orders for metalworking machines of the classifications not listed in Exhibit D of this order. If a producer can fill from his production all orders requiring deliveries in the month being scheduled, whether such orders are rated or unrated, then he shall arrange his schedule so as to fill all such orders. If a producer cannot fill from his production all orders requiring delivery in the month being scheduled, whether such orders are rated or unrated, then he shall arrange his schedule of deliveries as follows:

(1) To the extent that a producer has rated orders on hand from service purchasers requiring delivery in the month being scheduled, he shall arrange his schedule so as to deliver up to 60 percent of his production of each size in that month to service purchasers.

(2) To the extent that a producer has rated orders on hand from service purchasers requiring delivery in the month being scheduled of more than 60 percent of his production of any size in the month, he shall not be required in any such case to deliver more than such 60 percent to service purchasers even though there be fewer rated orders from other purchasers than the equivalent of 40 percent of his production of such size.

(3) To the extent that there remains any balance of his production unscheduled for that month, after scheduling his deliveries to service purchasers in accordance with subparagraphs (1) and (2) of this paragraph, a producer shall schedule such balance for such month so as to fill all rated orders from other purchasers to the extent possible, and thereafter, if any balance still remains, to fill unrated orders to be scheduled in accordance with such producer's usual custom.

SEC. 5. *Distribution of production among service groups.* In connection with scheduling deliveries for each month pursuant to section 4 of this order, each producer shall schedule deliveries among the several service groups as follows:

(a) Subject to the provisions of this paragraph, each producer shall determine the number of orders on his books for each size of metalworking machine for each of the seven service groups as of 90 days prior to the first day of the month being scheduled, or, at the producer's option, the nearest date within 10 days thereof on which he may have compiled his records of orders. Only those orders which by their terms require delivery in the month being scheduled or in a month previous thereto shall be counted. The number of orders so determined for each such size and service group shall be termed the "net backlog" of each service group for that size of metalworking machine.

(b) Each producer shall then determine the "total net backlog" of all service groups by adding together the orders for each particular size of metalworking machine as determined for each service group in accordance with the provisions of paragraph (a) of this section.

(c) Each producer shall then determine, in accordance with the provisions of section 4, the total number of metalworking machines of a particular size being scheduled for all service groups for that month and such total shall be termed the "total service group quota." The quota of each size of metalworking machine for any particular service group shall be that proportion of the total service group quota which the net backlog of such particular service group bears to the total net backlog. Each producer shall then schedule deliveries for the month being scheduled so that each service group shall be scheduled for its service quota for that month, determined as provided in this section.

(d) During each month each producer shall deliver for each service group the number of metalworking machines of each size equal to its quota of that size for that month. However, no producer shall schedule delivery of any metalworking machine for any service group earlier than the date on which the purchaser requires delivery unless all required delivery dates on other orders for the same size of metalworking machine are being met.

SEC. 6. *Treatment of fractions.* Where the number of metalworking machines which results from any computation required by this order contains a fraction of more than one-half, the fraction shall be counted as a whole metalworking machine. A fraction under one-half shall be disregarded, except that where the computation results in a fraction only (less than one whole metalworking machine) for any one month and such fraction is less than one-half, it shall be counted in computing the next month's service quota. Where each of the computations of two or more different service quotas for the same month shows a fraction of one-half, and there is only one remaining metalworking machine to which such fraction can apply, such metalworking machine shall be allotted to the service group having the largest service quota, and the other fractions of one-half shall be disregarded for that month, but shall be counted in computing the other service quota or quotas for the next month.

SEC. 7. *Operation of Numerical Preference List.* A Numerical Preference List will be supplied to producers. This list will be designated "Restricted." In connection with scheduling deliveries for each month pursuant to sections 4 and 5 of this order, this list shall determine the sequence of scheduling of purchase orders for delivery as between service purchasers within each service group as follows:

(a) In scheduling purchase orders for delivery, service purchasers who are on the list shall take precedence over service purchasers who are not on the list.

(b) As between purchase orders having conflicting required delivery dates, delivery of which is to be made to service purchasers on the list within the particular service group, the purchase order of the service purchaser with the higher urgency standing shall be scheduled for delivery ahead of the service purchaser with the lower urgency standing. The highest urgency standing is No. 1.

(c) Scheduling for delivery to a subcontractor or a subcontractor of a subcontractor shall be made in accordance with the urgency standing of his prime contractor and the prime contract number. However, no such subcontractor may use the urgency standing of the prime contractor unless such use is approved by the prime contractor and endorsed by the service department, supply arm, or bureau concerned.

(d) If the urgency standing certified by the purchaser differs from the urgency standing shown for the particular contractor for the particular contract in question on the Numerical Preference List, the latter shall govern.

(e) If the urgency standing of a prime contract is changed by virtue of a revision of the Numerical Preference List, a producer shall not require the purchaser to furnish the new urgency standing, provided such purchaser has furnished to the producer all of the information required under section 8 of this order.

(f) Regardless of the urgency standing certified with the purchase order, no delivery of metalworking machines shall be made prior to the required delivery dates, unless all required delivery dates on other orders for the same size of metalworking machines are being met.

(g) Changes may be made in the Numerical Preference List from time to time by NPA. Such changes will be effective when scheduling for the next "delivery month." If an interim change is made, the new urgency standing will consist of a number including a decimal. Such an urgency standing will take the position in the sequence of deliveries as indicated by the following example: Urgency standing 92.1 will be delivered after 92 and before 93. Complete revisions of the Numerical Preference List may be made from time to time and at such times the interim changes will be integrated in the revised Numerical Preference List. Such revised Numerical Preference List will use whole numbers and will be dated. Scheduling under this order will be controlled by the Numerical Preference List in force on the date of scheduling, irrespective of the urgency standing furnished by the purchaser at the time of the placing of the order. If a producer is unable to identify what urgency standing is the correct one for a particular purchase order, he must request from the purchaser the information necessary to establish the urgency standing and may delay scheduling such purchase order for production until he has received such information.

(h) The sequence of conflicting deliveries to service purchasers who are not listed on the Numerical Preference List within each service group shall be determined in accordance with the provisions of NPA Reg. 2.

SEC. 8. *Information to be furnished with new purchase orders.* (a) All purchasers must indicate specifications or other descriptions of the metalworking machines being ordered in sufficient detail to enable the producer to place the same on his production schedule and the required delivery date thereof.

(b) All service purchasers must indicate the service group which placed or sponsored the prime contract or subcontract for which the metalworking machine being purchased is to be used, and the specific prime contract number and the urgency standing, if any. If such service purchaser is a subcontractor or a subcontractor of a subcontractor, he must also state the name of the prime contractor.

(c) Any other purchaser must indicate the claimant agency, if any, which placed or sponsored the prime contract or subcontract for which the metalworking machine being purchased is to be used.

SEC. 9. *Changes and amendments.* Notwithstanding any other provision of this order, NPA may amend this order and any of its exhibits, may direct or change any schedule of production or delivery of metalworking machines, allocate any order for metalworking machines from one producer to another producer, and divert or otherwise direct the delivery of any metalworking machine from one person to another person.

SEC. 10. *Rejection of rated orders.* A producer need not accept a rated order which he receives less than 3 months prior to the first day of the month in which delivery is requested.

SEC. 11. *Effect of this order on NPA Reg. 2.* To the extent that this order is in conflict with NPA Reg. 2, the provisions of this order shall control. In all other respects, NPA Reg. 2 shall continue in full force and effect.

SEC. 12. *Replacement parts.* CMP Regulation No. 5 as now effective or as hereafter amended, or any other NPA order or regulation concerning maintenance, repair, and replacement items, shall control with respect to the delivery by a producer of repair and replacement parts, irrespective of any provisions contained in this order.

SEC. 13. *Pool orders.* NPA will from time to time furnish GSA with recommendations for ordering metalworking machines. Under a working arrangement between GSA and NPA, GSA will place firm orders (herein sometimes called "pool orders") with producers of metalworking machines in accordance with such recommendations. The pool orders so placed by GSA will contain, among other provisions, a provision requiring any producer, on or after the date therein specified, to eliminate items from any such order to the extent that equivalent items manufactured by such producer are invoiced or shipped (whichever is earlier) by such producer to others pursuant to purchase orders from others or to orders and directions of NPA. Notwithstanding the provisions of section 3 of this order, a producer may accept a pool order from GSA and if he has entered into a pool order with GSA, may, as to metalworking machines of the classifications listed in Exhibit D, which such producer is unable to ship on rated orders, store such metalworking machines and invoice them to GSA, in accordance with the provisions of such pool order.

SEC. 14. *Applications for ratings for metalworking machines.* A person other than a service purchaser who desires a rating for a metalworking machine and who believes he is eligible for such a rating, may apply for such rating on Form NPAF–138 (Revised) to the National Production Authority, Washington 25, D. C. Nothing in this section shall be construed to limit or supersede any existing NPA delegation, regulation, or order, or to affect the assigning or applying of a rating pursuant thereto, or to affect the making of applications for a rating by any person eligible therefor to a delegate agency or pursuant to another NPA regulation or order.

SEC. 15. *Request for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, that any provision otherwise works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 16. *Records and reports.* (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available for inspection and audit by duly authorized representatives of the National Production Authority, at the usual place of business where maintained.

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 17. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M–41.

SEC. 18. *Violations.* Any person who wilfully violates any provision of this order, or any other order or regulation of NPA, or who wilfully furnishes false information or conceals any material fact in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order as amended shall take effect November 17, 1952.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

EXHIBIT A OF NPA ORDER M–41

All types of the following classifications are included herewith for regulation under this order based on past procurement experience. Additions shall be made as new and changed requirements are developed:

Ammunition machinery.
Beading machines.
Boring machines.
Brakes.
Broaching machines.
Buffing machines.
Centering machines.
Chamfering machines.
Cut-off machines.
Die-sinking machines.
Drilling machines.
Duplicating machines.
Extruding machines.
Filing machines.
Forging machines.
Forging rolls.
Gear-cutting machines.
Gear-finishing machines.
Grinding machines.
Hammers.
Headers.
Key-seating machines.
Lapping machines.
Lathes.
Levelers.
Marking machines.
Measuring and testing machines, except physical property test equipment.
Milling machines.
Nibbling machines.
Oil-grooving machines.
Pipe flanging-expanding machines.
Planers.
Polishing and buffing machines.
Presses.
Profiling machines.
Punching machines.
Reaming machines.
Rifle and gun working machines.
Riveting machines.
Rolling machines.
Sawing machines.
Screw and bar machines.
Shapers.
Swagers.
Tapping machines.
Threading machines.
Shearing machines.
Slotters.
Upsetters.

EXHIBITS B AND C OF NPA ORDER M–41

(Discontinued)

EXHIBIT D TO NPA ORDER M–41

I. Boring machines:
  (a) Vertical boring and turning machines, 54 inches and larger.
  (b) Vertical boring and turning machines, all automatic cycle.
  (c) Horizontal boring, drilling, and milling machines—table, floor, and planer type—4-inch spindle and larger.
  (d) Jig-boring machines.
II. Die-sinking machines:
  (a) Manual type.
  (b) Automatic type.
III. Drilling machines:
  (a) Radial drilling machines.
IV. Gear-cutting machines:
  (a) Gear-hobbing machines—6-inch pitch diameter by 10-inch face and smaller.
V. Grinding machines:
  (a) Long bed surface grinders—60 inches travel and larger.
  (b) Table-type, single-head, nonautomatic, rotary surface grinders—30 inches capacity and larger.
  (c) Jig-grinding machines.
  (d) Face-coupling grinders.
VI. Lathes:
  (a) Duplicating and tracer type.
  (b) Turret lathes, saddle type, 8½ inches bar capacity and larger.
VII. Milling machines:
  (a) No. 4 and larger—knee and column type and bed type.
  (b) Planer or rail type mill.
  (c) Duplicating or copying type.
  (d) Skin-milling machines.
  (e) Spar-milling machines.
  (f) Jig-milling machines.
VIII. Planers:
  (a) 60 inches by 60 inches double housing and larger.
  (b) 48 inches open side and larger.
IX. Shapers:
  (a) Breech ring shapers.

[F. R. Doc. 52–12392; Filed, Nov. 17, 1952; 11:25 a. m.]

[NPA Order M-41A, Revocation]

M-41A—METALWORKING MACHINES—LIMITATIONS OF APPLICATIONS FOR RATINGS

REVOCATION

NPA Order M-41A (16 F. R. 11450) is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M-41A, nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

(Sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective November 17, 1952.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 52-12393; Filed, Nov. 17, 1952; 11:25 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 26 to Schedule B]

[Rent Regulation 2, Amdt. 26 to Schedule B]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE-RENTAL AREAS OR PORTIONS THEREOF

ERIE, SHARON-FARRELL AND CANTON DEFENSE-RENTAL AREAS

Effective November 17, 1952, Rent Regulation 1 and Rent Regulation 2 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 13th day of November 1952.

JAMES McI. HENDERSON,
Director of Rent Stabilization.

1. Item 73 is added to Schedule B of Rent Regulation 1—Housing, reading as follows:

73. Provisions relating to the Erie Defense-Rental Area (Item 261 of Schedule A):

With respect to housing accommodations in the Erie Defense-Rental Area, section 141 of this regulation is changed to read as follows:

SEC. 141. *Alternate adjustment for increases in costs and prices.* The present maximum rent for the housing accommodation does not equal (1) 130 percent of the maximum rent in effect on June 30, 1947, or 130 percent of the maximum rent for comparable housing accommodations on June 30, 1947, if no maximum rent was in effect on that date; (2) plus or minus any increases or decreases in maximum rent ordered after June 30, 1947, under this regulation, for major capital improvements or increases or decreases in living space, services, furniture, furnishings or equipment or substantial deterioration. The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal (1) 130 percent of the maximum rent in effect on June 30, 1947, for the housing accommodation or comparable housing accommodations, whichever is applicable; (2) plus or minus appropriate increases or decreascs in rental value, if any, as specified herein: *Provided, however,* That the Director shall give appropriate consideration to orders issued under section 157 or 162 decreasing maximum rents which were in effect on June 30, 1947. Adjustment under this section shall be effective automatically upon the filing of the petition if a maximum rent was in effect on June 30, 1947. In all other cases, they shall not be effective until the order is issued by the Director. All provisions of this regulation insofar as they are applicable to the Erie Defense-Rental Area are amended to the extent necessary to carry into effect the provisions of this Item 73 of Schedule B.

2. Item 78 is added to Schedule B of Rent Regulation 2—Rooms, reading as follows:

78. *Provisions relating to the Erie Defense-Rental Area (Item 261 of Schedule A):*

With respect to housing accommodations in the Erie Defense-Rental Area, section 138 is added to this regulation to read as follows:

SEC. 138. *Alternate adjustment for increases in costs and prices.* The present maximum rent for the room does not equal (1) 130 percent of the maximum rent in effect on June 30, 1947, or 130 percent of the maximum rent for comparable rooms on June 30, 1947, if no maximum rent was in effect on that date; (2) plus or minus any increases or decreases in maximum rent ordered after June 30, 1947, under this regulation, for major capital improvements or increases or decreases in living space, services, furniture, furnishings or equipment or substantial deterioration. The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal (1) 130 percent of the maximum rent in effect on June 30, 1947, for the room or comparable rooms, whichever is applicable; (2) plus or minus appropriate increases or decreases in rental value, if any, as specified herein: *Provided, however,* That the Director shall give appropriate consideration to orders issued under section 157 or 160 decreasing maximum rents which were in effect on June 30, 1947. Adjustments under this section shall be effective automatically upon the filing of the petition if a maximum rent was in effect on June 30, 1947. In all other cases, they shall not be effective until the order is issued by the Director. All provisions of this regulation insofar as they are applicable to the Erie Defense-Rental Area are amended to the extent necessary to carry into effect the provisions of this Item 78 of Schedule B.

3. Item 74 is added to Schedule B of Rent Regulation 1—Housing, reading as follows:

74. *Provisions relating to the Sharon-Farrell Defense-Rental Area (Item 270 of Schedule A):*

With respect to housing accommodations in the Sharon-Farrell Defense-Rental Area, section 141 of this regulation is changed to read as follows:

SEC. 141. *Alternate adjustment for increases in costs and prices.* The housing accommodation had a maximum rent in effect on November 17, 1952, and the present maximum rent for the housing accommodation does not equal (1) 130 percent of the maximum rent in effect on June 30, 1947, or 130 percent of the maximum rent for comparable housing accommodations on June 30, 1947, if no maximum rent was in effect on that date; (2) plus or minus any increases or decreases in maximum rent ordered after June 30, 1947, under this regulation for major capital improvements or increases or decreases in living space, services, furniture, furnishings or equipment or substantial deterioration. The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal (1) 130 percent of the maximum rent in effect on June 30, 1947, for the housing accommodations or comparable housing accommodations, whichever is applicable; (2) plus or minus appropriate increases or decreases in rental value, if any, as specified herein: *Provided, however,* That the Director shall give appropriate consideration to orders issued under section 157 or 162 decreasing maximum rents which were in effect on June 30, 1947. Adjustments under this section shall be effective automatically upon the filing of the petition if a maximum rent was in effect on June 30, 1947. In all other cases, they shall not be effective until the order is issued by the Director. All provisions of this regulation insofar as they are applicable to the Sharon-Farrell Defense-Rental Area are amended to the extent necessary to carry into effect the provisions of this Item 74 of Schedule B.

4. Item 79 is added to Schedule B of Rent Regulation 2—Rooms, reading as follows:

79. *Provisions relating to the Sharon-Farrell Defense-Rental Area (Item 270 of Schedule A):*

With respect to housing accommodations in the Sharon-Farrell Defense-Rental Area, section 138 is added to read as follows:

SEC. 138. *Alternate adjustment for increases in costs and prices.* The room had a maximum rent in effect on November 17, 1952, and the present maximum rent for the room does not equal (1) 130 percent of the maximum rent in effect on June 30, 1947, or 130 percent of the maximum rent for comparable rooms on June 30, 1947, if no maximum rent was in effect on that date; (2) plus or minus any increases or decreases in maximum rent ordered after June 30, 1947, under this regulation for major capital improvements or increases or decreases in living space, services, furniture, furnishings or equipment or substantial deterioration. The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal (1) 130 percent of the maximum rent in effect on June 30, 1947, for the room or comparable rooms, whichever is applicable; (2) plus or minus appropriate increases or decreases in rental value, if any, as specified herein: *Provided, however,* That the Director shall give appropriate consideration to orders issued under section 157 or 160 decreasing maximum rents which were in effect on June 30, 1947. Adjustments under this section shall be effective automatically upon the filing of the petition if a maximum rent was in effect on June 30, 1947. In all other cases, they shall not be effective until the order is issued by the Director. All provisions of this regulation insofar as they are applicable to the Sharon-Farrell Defense-Rental Area are amended to the extent necessary to carry into effect the provisions of this Item 79 of Schedule B.

5. Item 75 is added to Schedule B of Rent Regulation 1—Housing, reading as follows:

75. *Provisions relating to the Canton Defense-Rental Area (Item 226 of Schedule A):*

With respect to housing accommodations in the Canton Defense-Rental Area, section 141 of this regulation is changed to read as follows:

SEC. 141. *Alternate adjustment for increases in costs and prices.* The housing accommodation had a maximum rent in effect on November 17, 1952, and the present maximum rent for the housing accommodation does not equal (1) 130 percent of the maximum rent in effect on June 30, 1947, or 130 percent of the maximum rent for comparable housing accommodations on June 30, 1947, if no maximum rent was in effect on that date; (2) plus or minus any increases or decreases in maximum rent ordered after June 30, 1947, under this regulation for major capital improvements or increases or decreases in living space, services, furniture, furnishings or equipment or

substantial deterioration. The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal (1) 130 percent of the maximum rent in effect on June 30, 1947, for the housing accommodations or comparable housing accommodations, whichever is applicable; (2) plus or minus appropriate increases or decreases in rental value, if any, as specified herein: *Provided, however,* That the Director shall give appropriate consideration to orders issued under section 157 or 162 decreasing maximum rents which were in effect on June 30, 1947. Adjustments under this section shall be effective automatically upon the filing of the petition if a maximum rent was in effect on June 30, 1947. In all other cases, they shall not be effective until the order is issued by the Director. All provisions of this regulation insofar as they are applicable to the Canton Defense-Rental Area are amended to the extent necessary to carry into effect the provisions of this Item 75 of Schedule B.

6. Item 80 is added to Schedule B of Rent Regulation 2—Rooms, reading as follows:

80. *Provisions relating to the Canton Defense-Rental Area (Item 226 of Schedule A):* With respect to housing accommodations in the Canton Defense-Rental Area, section 138 is added to read as follows:

SEC. 138. *Alternate adjustment for increases in costs and prices.* The room had a maximum rent in effect on November 17, 1952, and the present maximum rent for the room does not equal (1) 130 percent of the maximum rent in effect on June 30, 1947, or 130 percent of the maximum rent for comparable rooms on June 30, 1947, if no maximum rent was in effect on that date; (2) plus or minus any increases or decreases in maximum rent ordered after June 30, 1947, under this regulation for major capital improvements or increases or decreases in living space, services, furniture, furnishings or equipment or substantial deterioration. The adjustment under this section shall be in an amount sufficient to cause the maximum rent to equal (1) 130 percent of the maximum rent in effect on June 30, 1947, for the room or comparable rooms, whichever is applicable; (2) plus or minus appropriate increases or decreases in rental value, if any, as specified herein: *Provided, however,* That the Director shall give appropriate consideration to orders issued under section 157 or 160 decreasing maximum rents which were in effect on June 30, 1947. Adjustments under this section shall be effective automatically upon the filing of the petition if a maximum rent was in effect on June 30, 1947. In all other cases, they shall not be effective until the order is issued by the Director. All provisions of this regulation insofar as they are applicable to the Canton Defense-Rental Area are amended to the extent necessary to carry into effect the provisions of this Item 80 of Schedule B.

[F. R. Doc. 52-12297; Filed, Nov. 17, 1952; 8:52 a. m.]

[Rent Regulation 1, Amdt. 90 to Schedule A]

[Rent Regulation 2, Amdt. 88 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

COLORADO

These amendments are issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective November 18, 1952, Rent Regulation 1 and Rent Regulation 2 are amended so that the items of Schedule A read as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 13th day of November 1952.

JAMES MCI. HENDERSON,
Director of Rent Stabilization.

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
Colorado				
(46) Pueblo	B	In Pueblo County, townships 20 and 21, South, Ranges 64 and 65, West of 6th Principal Meridian.	Mar. 1, 1942	Nov. 1, 1942
	C	do	Aug. 1, 1952	Nov. 18, 1952
	A	Pueblo County, except townships 20 and 21 South, Ranges 64 and 65, West of Sixth Principal Meridian.	do	Do.

[F. R. Doc. 52-12293; Filed, Nov. 17, 1952; 8:50 a. m.]

[Rent Regulation 1, Amdt. 91 to Schedule A]

[Rent Regulation 2, Amdt. 89 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

ALASKA

These amendments are issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective November 17, 1952, Rent Regulation 1 and Rent Regulation 2 are amended so that the items of Schedule A read as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 13th day of November 1952.

JAMES MCI. HENDERSON,
Director of Rent Stabilization.

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
Alaska				
(370) Alaska	B	In the Territory of Alaska, the cities of Douglas, Juneau, and Sitka, the towns of Petersburg and Skagway, and all the area within a 20-mile radius surrounding the post office of each of the following localities: the city of Anchorage, the city of Fairbanks, Eielson Air Force Base, Elmendorf Air Force Base, Ladd Air Force Base, and Fort Richardson; and all other territory in the Seward District of the Third Judicial Division; and Kodiak Island.	Mar. 1, 1942	Nov. 1, 1942
	C	In the Territory of Alaska, all the area within a 20-mile radius surrounding the post office of each of the following localities: the city of Anchorage, the city of Fairbanks, Eielson Air Force Base, Elmendorf Air Force Base, Ladd Air Force Base, and Fort Richardson.	July 1, 1950	Oct. 1, 1951
	C	In the Territory of Alaska, Kodiak Island	do	Jan. 21, 1952
	C	The Seward District of the Third Judicial Division except those portions of the district which are within a 20-mile radius of the post office of the city of Anchorage, Fort Richardson, and Elmendorf Air Force Base.	Aug. 1, 1952	Nov. 17, 1952

[F. R. Doc. 52-12294; Filed, Nov. 17, 1952; 8:51 a. m.]

[Rent Regulation 3, Amdt. 94 to Schedule A]

[Rent Regulation 4, Amdt. 37 to Schedule A]

RR 3—HOTELS

RR 4—MOTOR COURTS

SCHEDULE A—DEFENSE-RENTAL AREAS

COLORADO

These amendments are issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as

amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective November 18, 1952, Rent Regulation 3 and Rent Regulation 4 are amended so that the item of Schedule A reads as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 13th day of November 1952.

JAMES McI. HENDERSON,
Director of Rent Stabilization.

Name of defense-rental area	State	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
(46) Pueblo	Colorado	Pueblo	Aug. 1, 1952	Nov. 18, 1952

[F. R. Doc. 52-12295; Filed, Nov. 17, 1952; 8:51 a. m.]

[Rent Regulation 3, Amdt. 95 to Schedule A]

[Rent Regulation 4, Amdt. 38 to Schedule A]

RR 3—HOTELS

RR 4—MOTOR COURTS

SCHEDULE A—DEFENSE-RENTAL AREAS

ALASKA

These amendments are issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective November 17, 1952, Rent Regulation 3 and Rent Regulation 4 are amended so that the items of Schedule A read as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 13th day of November 1952.

JAMES McI. HENDERSON,
Director of Rent Stabilization.

Name of defense-rental area	State	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
(370) Alaska	Alaska	In the Territory of Alaska, all the area within a 20-mile radius surrounding the post office of each of the following localities: The city of Anchorage, the city of Fairbanks, Eielson Air Force Base, Elmendorf Air Force Base, Ladd Air Force Base, and Fort Richardson.	July 1, 1950	Oct. 1, 1951
		Kodiak Island	do	Jan. 21, 1952
		The Seward District of the Third Judicial Division except those portions of the district which are within a 20-mile radius of the post office of the city of Anchorage, Fort Richardson, and Elmendorf Air Force Base.	Aug. 1, 1952	Nov. 17, 1952

[F. R. Doc. 52-12296; Filed, Nov. 17, 1952; 8:51 a. m.]

TITLE 46—SHIPPING

Chapter II—Federal Maritime Board, Maritime Administration, Department of Commerce

Subchapter F—Merchant Ship Sales Act of 1946

[General Order 60, Supp. 22]

PART 299—RULES AND REGULATIONS, FORMS, AND CITIZENSHIP REQUIREMENTS

CHARTER OF WAR-BUILT VESSELS TO CITIZENS; FORMS

1. Section 299.31 *Charter of war-built vessels to citizens of the United States*—(a) *Application* (G. O. 60, 11 F. R. 4459 as amended by Supp. 2, 11 F. R. 8370) is further amended by adding at the end thereof the following subparagraph:

(4) Applicants for the charter of war-built vessel(s) under section 5 (e) of the Merchant Ship Sales Act of 1946, as amended by Public Law 591, 81st Congress, shall in addition to the foregoing, submit a Supplemental Application substantially in the form prescribed in § 299.80.

If applicant has not previously filed a formal charter application pursuant to this section (General Order 60), questions 3, 4, 5, 8, 9, 10, and 11 in the Supplemental Application may be disregarded provided the information required by said questions is fully supplied in the application submitted in compliance with this section (General Order No. 60).

2. Subpart G—Forms is amended by adding a new section to read:

§ 299.80 *Supplemental application to bareboat charter government-owned, war-built, dry-cargo vessel(s) under section 5 (e) of the Merchant Ship Sales Act of 1946, as amended by Public Law 591, 81st Congress.* The form of such supplemental application shall be substantially as follows:

U. S. DEPARTMENT OF COMMERCE
MARITIME ADMINISTRATION

SUPPLEMENTAL APPLICATION TO BAREBOAT CHARTER GOVERNMENT-OWNED, WAR-BUILT, DRY-CARGO VESSEL(S) UNDER SECTION 5 (e) OF THE MERCHANT SHIP SALES ACT OF 1946, AS AMENDED BY PUBLIC LAW 591, 81ST CONGRESS

The Applicant _____, a citizen of the United States, hereby applies under section 5 (e) of the Merchant Ship Sales Act of 1946, as amended by Public Law 591, 81st Congress, for the bareboat charter of Government-owned, war-built, dry-cargo vessel(s) for employment in the service or services as described below:

1. Indicate any material changes in application submitted in compliance with § 299.31, General Order No. 60.

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2. State service in which chartered vessel is proposed to be operated.

(a) If service is to and from specific ports, name each port.

(b) If to and from ranges, clearly identify ranges (i. e., U. S. North of Hatteras/Havre-Hamburg).

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3. Indicate names, types and flag of vessels presently operated by applicant in such service and average frequency of sailings, i. e., weekly, fortnightly, monthly, etc.

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4. Indicate whether vessels in 3 are owned by applicant or chartered (if chartered, for what period and name of owner).

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5. Names of other U. S. flag operators who serve all or any substantial portion of the service in which the proposed vessel is to be operated.

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6. Indicate for each vessel presently operated by applicant in such service for six months preceding the date of this application, the following information:

(a) Amount (if any) of remaining usable bale cubic and deadweight capacity available for cargo on departure last U. S. A. port, and date of sailing.

(b) Same as (a) on departure last foreign port.

Computation should be consistent with data filed on M. A. Forms 7801 and 7802.

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7. Indicate whether applicant is now chartering any of its owned vessels to others. If so, indicate names and types of vessels, companies to whom chartered, and service(s) in which such vessels are operating, form of charter, rate of charter hire, and expiration date of charters.

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8. Indicate by brief description other services which applicant operates.

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9. Number and type of vessel(s) desired.

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10. If specific vessels are applied for, indicate the name of such vessels in the order of preference.

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11. State any special reasons for applying for charter, i. e., clean up of strike or similar backlog, loss of vessel, cancellation of private charter, etc.

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12. If need for vessel is principally for normal increase in cargo offerings, indicate approximate amount of cargo in measurement tons which applicant has been unable to move in a given period immediately preceding and up to the time of the filing of this application. In addition, state, if known, whether other U. S. operators in the same general services are similarly situated in respect to cargo offerings.

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13. State period applicant desires to charter the vessel(s), and date and place of desired delivery.

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14. State what effort has been made to charter suitable privately-owned vessel(s) and the results thereof, including reasons for rejecting any ships offered to applicant from private sources.

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15. If applicant presently holds an operating differential subsidy agreement on the route herein involved, state whether applicant will apply for payment of operating differential subsidy on the vessel(s) applied for.

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16. State any other facts on which, in the opinion of the applicant, the present application may be supported.

NOTE: (1) If hearing on this application is scheduled before the Federal Maritime Board, the applicant will be called upon to show

(a) The service is required in the public interest;

(b) Such service is not adequately served;

(c) Privately owned American-flag vessels are not available for charter by private operators on reasonable conditions and at reasonable rates for use in such service.

(2) If the Maritime Administration does not recommend or the Federal Maritime Board does not authorize a public hearing on this application, it will not be made available to the public. If a public hearing is authorized, it will be made available to interested parties.

The applicant hereby certifies that the foregoing information is full, complete, accurate, and true.

Name of applicant

By ---
Authorized official

[CORPORATE SEAL]

Attest:

Date

Subscribed and sworn to before me by ---, a duly authorized official of applicant this ------ day of ----------, 195----.

---,
Notary Public

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 204, 49 Stat. 1987 as amended, sec. 12, 60 Stat. 49; 46 U. S. C. 114 50 U. S. C. App., 1745)

Dated: November 7, 1952.

[SEAL] A. W. GATOV,
Maritime Administrator.

[F. R. Doc. 52-12308; Filed, Nov. 17, 1952; 8:54 a. m.]

PROPOSED RULE MAKING

CIVIL AERONAUTICS BOARD

[14 CFR Part 60]

AIR TRAFFIC RULES

DEFINITION OF CEILING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board an amendment to Part 60 of the Civil Air Regulations in substance as hereinafter set forth.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rule, communications must be received by December 19, 1952. Copies of such communications will be available after December 23, 1952, for examination by interested persons at the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

The United States Weather Bureau has revised its procedures for the determination and measurement of "ceiling." The ceiling is now technically considered as the lowest layer of clouds or obscuring phenomena reported as "broken," "overcast," or "obscuration" and not classified as "thin" or "partial." This change is significant in that a broken or overcast layer of clouds will no longer be reported as a ceiling if the layer is predominantly transparent.

Concurrent with the above change in procedure, the Weather Bureau has also revised its definition of ceiling.

In order that the Civil Air Regulations will properly reflect the above changes in procedure of ceiling determination, it is proposed to amend Part 60 of the Civil Air Regulations as follows:

By amending § 60.72 to read as follows:

§ 60.72 *Ceiling.* The height above the ground or water of the lowest layer of clouds or obscuring phenomena that is reported as "broken," "overcast," or "obscuration" and not classified as "thin" or "partial."

This amendment is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposal may be changed in the light of comments received in response to this notice of proposed rule making.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interprets or applies secs. 601-610, 52 Stat. 1007-1012; 49 U. S. C. 501-510)

Dated: November 13, 1952, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 52-12312; Filed, Nov. 17, 1952; 8:56 a. m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 324]

UNIFORM SYSTEM OF ACCOUNTS FOR CARRIERS BY INLAND AND COASTAL WATERWAYS

MATURED LONG-TERM OBLIGATIONS; FUNDED DEBT UNMATURED

NOVEMBER 4, 1952.

Having under consideration the requirement that long-term obligations maturing serially or payable in installments shall be classified in the balance sheet statement as current liabilities to the extent that serial or installment payments are due within one year of the balance sheet date, the Commission by Division 1 has approved changes in this provision so that no long-term obligations will be stated as current liabilities except those actually matured and for which there is no agreement to extend payment.

Accordingly the following modifications have been approved:

(1) In § 324.1-207 *Long-term debt due within one year*, cancel the title and text of this account (without disturbing the note thereto) and substitute the following for them:

§ 324.1-207 *Matured long-term obligations.* This account shall include the total par value of all funded obligations (except amounts due affiliated companies) which are past due and for which agreements have not been entered into for an extension as to time of payment.

(2) In § 324.1-211 *Funded debt,* change the title of this account to read *Funded debt unmatured,* and in paragraph (b) (1) *Equipment obligations,* of the same section cancel the text and substitute the following for it:

(1) *Equipment obligations.* Equipment bonds or equipment notes, secured only by lien on specific equipment, including those maturing serially or payable in installments.

Any interested person may on or before December 1, 1952, file with the Commission written views or arguments to be considered in this connection, and may request oral argument thereon. Unless otherwise decided after consideration of representations so received, an order will be entered making the said changes effective January 1, 1953.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 52-12285; Filed, Nov. 17, 1952; 8:48 a. m.]

NOTICES

DEPARTMENT OF JUSTICE

Office of Alien Property

VINCENZINA PETRIELLA SERENA AND MICHELE PETRIELLA

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Vincenzina Petriella Serena, Benevento, Colle Sannita, Italy; Claim No. 41612; $382.06 in the Treasury of the United States.

Michele Petriella, Benevento, Colle Sannita, Italy; Claim No. 41613; $382.06 in the Treasury of the United States.

Executed at Washington, D. C., on November 10, 1952.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 52-12301; Filed, Nov. 17, 1952; 8:53 a. m.]

RAFFAELE VISCOMI

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Raffaele Viscomi, Botricello, Province of Catanzaro, Italy; Claim No. 2050; $15,373.64 cash in the Treasury of the United States.

Executed at Washington, D. C., on November 10, 1952.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 52-12302; Filed, Nov. 17, 1952; 8:54 a. m.]

ELISIO BALLERINI

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Elisio Ballerini, Hotel Massimo D'Azeglio, Rome, Italy; Claim No. 37845; $5,000.00 in the Treasury of the United States. All right, title, interest and claim of any kind or character whatsoever of Elisio Ballerini in and to the Estate of Joyce Sampson Ballerini, deceased.

Executed at Washington, D. C., on November 10, 1952.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 52-12303; Filed, Nov. 17, 1952; 8:54 a. m.]

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Treasury Department Order 150-15]

BUREAU OF INTERNAL REVENUE REORGANIZATION

ABOLITION AND ESTABLISHMENT OF CERTAIN OFFICES

Bureau of Internal Revenue Reorganization, abolition of offices of Collectors and Deputy Collectors of Arkansas, Kansas, and Missouri Collection Districts; establishment of offices of District Commissioner and Directors of Internal Revenue.

By virtue of the authority vested in me as Secretary of the Treasury by Reorganizational Plan No. 26 of 1950 and Reorganization Plan No. 1 of 1952:

1. *Abolition of existing offices.* The abolition of the offices of Collector of Internal Revenue and Deputy Collector for the Collection Districts of Arkansas and Kansas and the First and Sixth Collection Districts of Missouri shall become effective as of 12 o'clock midnight, November 17, 1952.

2. *Establishment of District Commissioner.* Effective as of 12:01 a. m., November 18, 1952, there is hereby established an office of District Commissioner of Internal Revenue, which shall be known as the St. Louis District, and which shall be comprised of the States of Arkansas, Kansas, and Missouri.

3. *Location of headquarters.* The headquarters office shall be located in the City of St. Louis, Missouri.

4. *Establishment of Offices of Director of Internal Revenue.* Effective as of 12:01 a. m., November 18, 1952, there are hereby created the following offices within the St. Louis District:

(a) Director of Internal Revenue for the Collection District of Arkansas (as presently constituted). The headquarters of such office shall be located in Little Rock, Arkansas, and the office shall have the operating title of Director of Internal Revenue, Little Rock.

(b) Director of Internal Revenue for the Collection District of Kansas (as presently constituted). The headquarters of such office shall be located in Wichita, Kansas, and the office shall have the operating title of Director of Internal Revenue, Wichita.

(c) Director of Internal Revenue for the First Collection District of Missouri (as presently constituted). The headquarters of such office shall be located in St. Louis, Missouri, and the office shall have the operating title of Director of Internal Revenue, St. Louis.

(d) Director of Internal Revenue for the Sixth Collection District of Missouri (as presently constituted). The headquarters of such office shall be located in Kansas City, Missouri, and the office shall have the operating title of Director of Internal Revenue, Kansas City.

Dated: November 14, 1952.

[SEAL] E. H. FOLEY,
Acting Secretary of the Treasury.

[F. R. Doc. 52-12385; Filed, Nov. 17, 1952; 10:55 a. m.]

[Treasury Department Order 150-16]

BUREAU OF INTERNAL REVENUE REORGANIZATION

ABOLITION AND ESTABLISHMENT OF CERTAIN OFFICES

Bureau of Internal Revenue Reorganization. Abolition of offices of Collectors and Deputy Collectors of Oklahoma and Texas Collection Districts; establishment of offices of District Commissioner and Directors of Internal Revenue.

By virtue of the authority vested in me as Secretary of the Treasury by Reorganization Plan No. 26 of 1950 and Reorganization Plan No. 1 of 1952:

1. *Abolition of existing offices.* The abolition of the offices of Collector of Internal Revenue and Deputy Collector for the Oklahoma Collection District and the First and Second Collection Districts of Texas shall become effective as of 12 o'clock midnight, November 18, 1952.

2. *Establishment of District Commissioner.* Effective as of 12:01 a. m., November 19, 1952, there is hereby established an office of District Commissioner of Internal Revenue, which shall be known as the Dallas District, and which shall be comprised of the States of Oklahoma and Texas.

3. *Location of headquarters.* The headquarters office shall be located in the city of Dallas, Texas.

4. *Establishment of Offices of Director of Internal Revenue.* Effective as of 12:01 a. m., November 19, 1952, there are hereby created the following offices within the Dallas District:

(a) Director of Internal Revenue for the Collection District of Oklahoma (as presently constituted). The headquarters of such office shall be located in Oklahoma City, Oklahoma, and the office shall have the operating title of Director of Internal Revenue, Oklahoma City.

(b) Director of Internal Revenue for the First Collection District of Texas (as presently constituted). The headquarters of such office shall be located in Austin, Texas, and the office shall have the operating title of Director of Internal Revenue, Austin.

(c) Director of Internal Revenue for the Second Collection District of Texas (as presently constituted). The headquarters of such office shall be located in Dallas, Texas, and the office shall have the operating title of Director of Internal Revenue, Dallas.

Dated: November 14, 1952.

[SEAL] E. H. FOLEY,
Acting Secretary of the Treasury.

[F. R. Doc. 52-12383; Filed, Nov. 17, 1952; 10:54 a. m.]

Bureau of Internal Revenue

[Operations Reorganization Order DAL-1]

DISTRICT COMMISSIONER FOR DALLAS DISTRICT

INTERIM DELEGATION OF AUTHORITY PENDING REORGANIZATION OF ADDITIONAL DISTRICT OFFICE

Pursuant to the authority vested in me as Assistant Commissioner of Internal Revenue, it is directed that:

1. In addition to the authority delegated to the District Commissioner by Operations Reorganization Order No. 3, the District Commissioner for the Dallas District is hereby vested with general supervision of the operations of the following offices with respect to areas outside the States of Oklahoma and Texas:

(a) The Southwestern District of the Appellate Division (comprised of the States of Louisiana, Mississippi, Oklahoma, and Texas), subject, however, to the provisions of Commissioner's Reorganization Order No. 2 (relating to the functions of the Appellate Division), and

(b) The Dallas District of the Intelligence Division (comprised of the States of Louisiana, Mississippi, and Texas).

2. Pending the issuance of further instructions, officers, agencies, and employees of the offices listed in paragraph 1 shall continue to perform the functions they were authorized to perform immediately prior to the effective date of this order in accordance with authorized regulations and procedures in effect at such time.

3. This order shall be effective as of 12:01 a. m., November 19, 1952: *Provided*, That the interim authority herein delegated to the District Commissioner with respect to any territory located outside of his District shall terminate upon the effective date of the establishment of an office of District Commissioner for the District which shall include such territory.

Dated: November 14, 1952.

[SEAL] JUSTIN F. WINKLE,
Assistant Commissioner.

[F. R. Doc. 52-12382; Filed, Nov. 17, 1952; 10:54 a. m.]

No. 225——4

[Operations Reorganization Order St. Lou-1]

DISTRICT COMMISSIONER FOR ST. LOUIS DISTRICT

INTERIM DELEGATION OF AUTHORITY PENDING REORGANIZATION OF ADDITIONAL DISTRICT OFFICES

Pursuant to the authority vested in me as Assistant Commissioner of Internal Revenue, it is directed that:

1. In addition to the authority delegated to the District Commissioner by Operations Reorganization Order No. 3, the District Commissioner for the St. Louis District is hereby vested with general supervision of the operations of the following offices with respect to areas outside of the States of Arkansas, Missouri, and Kansas:

(a) The Kansas City District of the Intelligence Division (comprised of the States of Arkansas, Kansas, Missouri, and Oklahoma);

(b) The Alcohol and Tobacco Tax Supervisory District No. 11 (comprised of the States of Arkansas, Kansas, Missouri, and Oklahoma);

(c) The Western District of the Appellate Division (comprised of the States of Colorado, Kansas, Missouri, New Mexico, and Wyoming), subject, however, to the provisions of Commissioner's Reorganization Order No. 2 (relating to the functions of the Appellate Division).

2. Pending the issuance of further instructions, officers, agencies, and employees of the offices listed in paragraph 1 shall continue to perform the functions they were authorized to perform immediately prior to the effective date of this order in accordance with authorized regulations and procedures in effect at such time.

3. This order shall be effective as of 12:01 a. m., November 18, 1952: *Provided*, That the interim authority herein delegated to the District Commissioner with respect to any territory located outside of his District shall terminate upon the effective date of the establishment of an office of District Commissioner for the District which shall include such territory.

Dated: November 14, 1952.

[SEAL] JUSTIN F. WINKLE,
Assistant Commissioner.

[F. R. Doc. 52-12384; Filed, Nov. 17, 1952; 10:54 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

SHORESPACE RESTORATION ORDER NO. 493 AND SMALL TRACT CLASSIFICATION NO. 67

NOVEMBER 10, 1952.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059, 48 U. S. C. 372), and pursuant to sections 2.21 and 2.22 (a) (3), of Order No. 1, Bureau of Land Management, Region VII, approved by the Acting Secretary of the Interior August 20, 1951 (16 F. R. 8625), it is ordered as follows:

Subject to valid existing rights, the 80-rod shorespace reserve which may now or hereafter be created under the act of May 14, 1898 (30 Stat. 409), as amended by the act of March 3, 1903 (32 Stat. 1028; 48 U. S. C. 371), is hereby revoked as to the public lands hereinafter described, which are situated in the Anchorage, Alaska Land District, and which are hereby classified as chiefly valuable for lease and sale under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended:

KETCHIKAN AREA

FOR LEASE AND SALE

For Home Sites

U. S. Survey 2402: Lot 38.
U. S. Survey 2678: Lot 7.
U. S. Survey 2805: Lot 3.
U. S. Survey 3088: Lots 19-51 inclusive.

The above described areas comprise 36 tracts aggregating approximately 35.99 acres.

WRANGELL AREA

FOR LEASE AND SALE

For a Home Site

U. S. Survey 2321: Lot N.

Comprising one tract containing 3.61 acres.

PETERSBURG AREA

FOR LEASE AND SALE

For Home Sites

T. 58 S., R. 79 E., Copper River Meridian.
Section 33: Lots 13, 14 and Lots 17 through 29, inclusive.

The above described area comprises 15 tracts aggregating approximately 70.78 acres.

2. The lands lie within areas eliminated from the Tongass National Forest and are situated near the cities indicated above. Most of the lands are accessible from the above mentioned cities by primary and secondary roads, and part of the lands are presently served by public utilities. The terrain is generally rocky, covered in most places with a thin mantle of soil. The vegetative cover consists mainly of dense growths of hemlock, spruce and cedar. The climate is typical of southeastern Alaska, characterized by cool summers and mild winters, with heavy precipitation experienced throughout most of the year. Adequate water for domestic uses may be obtained from water systems supplied by nearby streams or by the use of wells, and sewage disposal may be made through use of cesspools and septic tanks. Commercial, school, and church facilities are available in the nearby cities, and in some places within immediate access of the lands.

3. This classification order shall not become effective to change the status of any lands described herein or to permit the leasing of any such lands under the Small Tract Act of June 1, 1938, cited above, until 10:00 a. m. on December 2, 1952. At that time, the land shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application as follows:

(a) *Ninety-one day period for preference right filings.* For a period of 91 days from 10 a. m. on December 2, 1952, to close of business on March 2, 1953, inclusive, to (1) application under the

Small Tract Act of June 1, 1938, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279, 282) as amended, and by other qualified persons entitled to credit for service under the said act, subject to the requirements of applicable law, and (2) applications under any applicable public land laws, based on prior existing valid settlement and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans and by other persons entitled to credit for service shall be subject to claims of the classes described in subdivision (2).

(b) *Advance period for simultaneous preference right filings.* All applications by such veterans and persons claiming preference rights superior to those of such veterans filed on November 10, 1952, or thereafter, up to and including 10:00 a. m. on December 2, 1952, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public land laws.* Commencing at 10:00 a. m. on March 3, 1953, any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally.

(d) *Advance period for simultaneous non-preference right filings.* Applications under the Small Tract Act by the general public filed on February 10, 1953, or thereafter, up to and including 10:00 a. m. on March 3, 1953, shall be treated as simultaneously filed.

4. A veteran shall accompany his application with a complete photostatic, or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claim. Persons asserting preference rights, through settlement or otherwise, and those having equitable claim, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

5. All applications referred to in paragraphs 3 and 4, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent that such regulations are applicable. Applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of Title 43 of the Code of Federal Regulations.

6. Lessees under the Small Tract Act of June 1, 1938, will be required, within a reasonable time after execution of the lease, to construct upon the leased land, to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which, in the circumstances, are presentable, substantial and appropriate for the use for which the lease is issued. Leases will be for a period of not more than three years, at an annual rental of $5, payable in advance for the entire lease period. Every lease will contain an option to purchase clause and every lessee may file an application to purchase at the sale price as provided in the lease.

7. All of the land will be leased in tracts varying in size from approximately 0.15 acre to approximately 6.15 acres, in accordance with the classification maps on file in the Land Office, Anchorage, Alaska.

8. Lessees must locate any well, water supply system, or sewage disposal facility according to the regulations and laws of the Territory of Alaska.

9. As to the lands in the Petersburg area, which lie within the rectangular system of survey, leases will be made subject to rights-of-way for road purposes and public utilities, of 50 feet in width, along section and/or quarter section lines, and 33 feet in width along the tract boundaries, as shown on the classification maps on file in the Land Office, Anchorage, Alaska. Such rights-of-way may be utilized by the Federal Government, State, Territory, county or municipality, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

10. All inquiries relating to these lands shall be addressed to the Manager, Land Office, Anchorage, Alaska.

FRED J. WEILER,
Chief, Division of Land Planning.

[F. R. Doc. 52-12259; Filed, Nov. 17, 1952; 8:46 a. m.]

Bureau of Reclamation

[Regional Director's Order 4, Revision 1]

HEADS OF DISTRICT AND PROJECT OFFICES, REGION 1

REDELEGATIONS OF AUTHORITY WITH RESPECT TO CERTAIN FUNCTIONS

OCTOBER 16, 1952.

Pursuant to the authority vested in me by the Commissioner of Reclamation (Commissioner's Order No. 6 dated 8-24-51 and Order No. 7 dated 8-24-51, as amended 9-11-52) heads of District and Project offices of Region 1 are hereby authorized to:

(a) *Land appraisals.* Make or approve appraisals or reappraisals of lands, interests therein (including improvements on rights-of-way reserved under the act of August 30, 1890, 26 Stat. 391, 43 U. S. C. 945, and on similar rights-of-way), and water rights in connection with acquisitions for the construction or operation and maintenance of project works in all cases where the amounts do not exceed $500 for property in one ownership.

(b) *Land contracts.* Contract for and effect the purchase or exchange of lands or interests in lands and water rights at the appraised value, and acquire at more than the appraised value easements for $100 or less, if necessary and in the interest of the Government, but any exchange involving public lands, except public lands within the Columbia Basin Project, shall be effected only with the concurrence of the Director of the Bureau of Land Management.

(c) *Leases.* Lease for grazing, agricultural or recreational uses or development, for periods not exceeding 5 years, and lease for summer homesites at Bureau reservoirs, for periods of 10 years or less, public lands under reclamation withdrawal and lands acquired for reclamation purposes, consent to sublease thereunder, modify, consent to assignment of, terminate, or cancel such leases.

(d) *Licenses.* Grant licenses, for periods not exceeding 10 years, for specified rights, excluding the development or transmission of electric power and energy, to the use of Government right-of-way, and other public lands under reclamation withdrawal and lands acquired for reclamation purposes, consent to sublicenses thereunder, and modify, consent to assignment of, terminate or cancel such licenses.

(e) *Permits.* Grant permits, for periods not exceeding 5 years, for the removal of sand, gravel or building materials from public lands under reclamation withdrawal or land acquired for reclamation purposes, and modify, consent to assignment of, terminate or cancel such permits.

H. T. NELSON,
Regional Director.

[F. R. Doc. 52-12260; Filed, Nov. 17, 1952; 8:46 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

MEMBER LINES OF UNITED STATES ATLANTIC AND GULF-HAITI CONFERENCE ET AL.

NOTICE OF AGREEMENTS FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended:

(1) Agreement No. 8120 (Revised), between the Member Lines of the United States Atlantic and Gulf-Haiti Conference, is a proposed new agreement of that conference providing for the establishment and maintenance of agreed rates and charges of every lawful type, and rules, regulations and practices for or in connection with the application thereof, for, or in connection with, the receiving, handling, transportation and discharge of cargo in the trade between U. S. Atlantic and Gulf ports and ports in Haiti. Upon approval this agreement will supersede the present agreement of the Conference (No. 5590).

(2) Agreement No. 7877 between United States Lines Company and Davie Transportation Limited covers the transportation of canned pineapples and pineapple juice under through bills of lading from Hawaiian Islands to Mon-

treal, Canada with transhipment at New York.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to either of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: November 13, 1952.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS, *Secretary.*

[F. R. Doc. 52–12309; Filed, Nov. 17, 1952; 8:55 a. m.]

MEMBER LINES OF FAR EAST AND PACIFIC WESTBOUND CONFERENCES

NOTICE OF AGREEMENT FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

(1) Agreement No. 8200, between the Member Lines of the Far East Conference and the member lines of the Pacific Westbound Conference, relates to the trade from the United States to Far East destinations common to the scope of both conferences, and provides for the establishment by joint action of the rates to be charged for the transportation of commodities and the rules and regulations governing the application of such rates. The following commodities when shipped in bulk are excluded from the scope of this agreement: coal, coke, phosphate rock, salt, ores, wheat, barley, rice, corn, soya beans, oats, and rye.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to this agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: November 13, 1952.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS, *Secretary.*

[F. R. Doc. 52–12310; Filed, Nov. 17, 1952; 8:55 a. m.]

DEPARTMENT OF LABOR

Wage and Hour and Public Contracts Divisions

EMPLOYMENT OF HANDICAPPED CLIENTS BY SHELTERED WORKSHOPS

ISSUANCE OF SPECIAL CERTIFICATES

Notice is hereby given that special certificates authorizing the employment of handicapped clients at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Fair Labor Standards Act of 1938, as amended, and section 1 (b) of the Walsh-Healey Public Contracts Act, as amended, have been issued to the sheltered workshops hereinafter mentioned, under section 14 of the Fair Labor Standards Act of 1938, as amended (sec. 14, 52 Stat. 1068; 29 U. S. C. 214; as amended 63 Stat. 910), and Part 525 of the regulations issued thereunder, as amended (29 CFR Part 525), and under sections 4 and 6 of the Walsh-Healey Public Contracts Act (secs. 4, 6, 49 Stat. 2038; 41 U. S. C. 38, 40) and Article 1102 of the regulations issued pursuant thereto (41 CFR 201.1102).

The names and addresses of the sheltered workshops to which certificates were issued, wage rates, and the effective and expiration dates of the certificates are as follows:

Jewish home for the aged of Worcester County, Inc., 1029 Pleasant Street, Worcester, Mass.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 40 cents per hour for a training period of 40 hours and 50 cents thereafter, whichever is higher. Certificate is effective October 15, 1952, and expires September 30, 1953.

Goodwill Industries of New York Incorporated, 123 East 124th Street, New York, N. Y.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 35 cents per hour, whichever is higher. Certificate is effective November 1, 1952, and expires October 31, 1953.

Veterans of Foreign Wars of the United States, Buddy Poppy Department, Veterans Camp, Mt. McGregor, N. Y.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 10 cents per hour for an evaluation period of 80 hours and 15 cents thereafter, whichever is higher. Certificate is effective November 1, 1952, and expires October 31, 1953.

Veterans of Foreign Wars of the United States, Buddy Poppy Department, New Jersey Memorial Home, Vineland, N. J.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 10 cents per hour for an evaluation period of 80 hours and 15 cents thereafter, whichever is higher. Certificate is effective November 1, 1952, and expires October 31, 1953.

Veterans of Foreign Wars of the United States, Buddy Poppy Department, U. S. Veterans Hospital, Lyons, N. J.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 10 cents per hour for an evaluation period of 80 hours and 15 cents thereafter, whichever is higher. Certificate is effective November 1, 1952, and expires October 31, 1953.

Veterans of Foreign Wars of the United States, Buddy Poppy Department, Home for Disabled Soldiers, Menlo Park, N. J.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 10 cents per hour for an evaluation period of 80 hours and 15 cents thereafter, whichever is higher. Certificate is effective November 1, 1952, and expires October 31, 1953.

Goodwill Industries of Wilmington, Inc., 214–216 Walnut Street, Wilmington, Del.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 25 cents per hour for an evaluation period of 40 hours and a training period of 80 hours, and 45 cents thereafter, whichever is higher. Certificate is effective November 1, 1952, and expires October 31, 1953.

The Baltimore League for Crippled Children & Adults, Inc., 827 St. Paul Street, Baltimore, Md.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 20 cents per hour for an evaluation period of 40 hours and a training period of 80 hours, and 40 cents thereafter, whichever is higher. Certificate is effective November 1, 1952, and expires October 31, 1953.

The Volunteers of America, 328 Chestnut Street, Philadelphia, Pa.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 40 cents per hour, whichever is higher. Certificate is effective November 1, 1952, and expires October 31, 1953.

Goodwill Industries of Cleveland, Inc., 2416 E. 9th Street, Cleveland, Ohio; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than the applicable hourly rates during the periods hereinafter specified, whichever is higher: Contract and General Department, 15 cents per hour for an evaluation period of 40 hours and a training period of 120 hours and 20 cents thereafter; Transportation Department, 15 cents per hour for an evaluation period of 40 hours and 50 cents thereafter. Certificate is effective September 19, 1952, and expires August 31, 1953.

Wisconsin Workshop for the Blind, 2385 North Lake Drive, Milwaukee 11, Wis.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than the applicable hourly rate during the periods hereinafter specified, whichever is higher: Cocoa Mat Shop, 35 cents per hour for an evaluation period

of 160 hours and 50 cents thereafter. Certificate is effective October 1, 1952, and expires September 30, 1953.

Goodwill Industries of Fort Wayne, Inc., 112 E. Columbia Street, Fort Wayne, Ind.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than the applicable hourly rates during the periods hereinafter specified, whichever is higher: 40 cents per hour for an evaluation period of 160 hours and 45 cents thereafter. Certificate is effective November 1, 1952, and expires October 31, 1953.

Gary Goodwill Industries, Inc., 1224 Broadway, Gary, Ind.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 45 cents per hour for an evaluation period of 40 hours and 50 cents thereafter, whichever is higher. Certificate is effective November 1, 1952, and expires October 31, 1953.

Indianapolis Goodwill Industries, Inc., 215 South Senate Avenue, Indianapolis 25, Ind.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than the applicable hourly rate during the period hereinafter specified, whichever is higher: 40 cents per hour for an evaluation period of 160 hours and a training period of 160 hours, and 45 cents thereafter. Certificate is effective November 1, 1952, and expires October 31, 1953.

Harris County Association for the Blind, 1658 Westheimer Road, Houston, Tex.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than the applicable hourly rate during the period hereinafter specified, whichever is higher: 30 cents for an evaluation period of 80 hours and a training period of 80 hours, and 40 cents thereafter. Certificate is effective September 1, 1952, and expires August 31, 1953.

Goodwill Industries of San Antonio, Inc., 3500 Pleasanton Road, San Antonio, Tex.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than the applicable hourly rate during the period hereinafter specified, whichever is higher: 40 cents per hour for an evaluation period of 40 hours and a training period of 40 hours, and 45 cents thereafter. Certificate is effective October 20, 1952, and expires September 30, 1953.

Harris County Association for the Blind, 1019 Dowling Street, Houston, Tex.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than the applicable hourly rate during the period hereinafter specified, whichever is higher: 30 cents per hour for an evaluation period of 80 hours and a training period of 80 hours, and 40 cents thereafter. Certificate is effective September 24, 1952, and expires August 31, 1953.

The Volunteers of America, 2323 Kern Street, Fresno 1, Calif.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 50 cents per hour for an evaluation period and/or a training period of 80 hours, and 65 cents thereafter, whichever is higher. Certificate is effective October 2, 1952, and expires October 1, 1953.

Volunteers of America of Los Angeles, 333 So. Los Angeles Street, Los Angeles 13, Calif.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 40 cents per hour for an evaluation period and/or a training period of 80 hours, and 55 cents thereafter, whichever is higher. Certificate is effective September 5, 1952, and expires August 31, 1953.

Rehabilitation Manucrafters, 245 Mission Street, San Francisco 5, Calif.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 10 cents per hour for an evaluation period and/or a training period of 320 hours, and 25 cents thereafter, whichever is higher. Certificate is effective October 1, 1952, and expires September 30, 1953.

Mt. Diablo Therapy Center, 2363 Mt. Diablo Boulevard, Walnut Creek, Calif.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 25 cents per hour for an evaluation period and/or a training period of 160 hours, and 50 cents thereafter, whichever is higher. Certificate is effective October 21, 1952, and expires January 31, 1953.

Goodwill Industries of Santa Clara County, Inc., 351 Lincoln Avenue, San Jose 25, Calif.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 65 cents per hour, whichever is higher. Certificate is effective October 20, 1952, and expires October 19, 1953.

Los Angeles Center, California Industries for the Blind, 840 Santee Street, Los Angeles 14, Calif.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 15 cents per hour for an evaluation period and/or a training period of 320 hours, and 35 cents thereafter, whichever is higher. Certificate is effective October 23, 1952, and expires September 30, 1953.

The employment of handicapped clients in the above-mentioned sheltered workshops under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 525 of the regulations, as amended. These certificates have been issued on the applicants' representation that they are sheltered workshops as defined in the regulations and that special services are provided their handicapped clients. A sheltered workshop is defined as, "A charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature."

These certificates may be canceled in the manner provided by the regulations, as amended. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D. C., this 4th day of November 1952.

JACOB I. BELLOW,
Assistant Chief of Field Operations.

[F. R. Doc. 52-12261; Filed, Nov. 17, 1952; 8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2539 et al.]

NORTHWEST AIRLINES, INC., MAIL RATE PROCEEDING; TRANS-PACIFIC OPERATIONS; PERIOD JULY 1, 1948-DECEMBER 31, 1950

NOTICE OF FURTHER HEARING

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, of Northwest Airlines, Inc., in its trans-Pacific operations.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that the further hearing in the above-entitled proceeding involving Northwest Airlines, Inc., trans-Pacific operations, the segment between Anchorage, Alaska, and Seattle, Washington, is assigned to be held on November 24, 1952, at 10:00 a. m., e. s. t., in room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Walter W. Bryan.

Dated at Washington, D. C., November 13, 1952.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 52-12311; Filed, Nov. 17, 1952; 8:56 a. m.]

FEDERAL COAL MINE SAFETY BOARD OF REVIEW

STATEMENT OF ORGANIZATION

1. *Creation and authority.* The Federal Coal Mine Safety Board of Review was created by the Federal Coal Mine Safety Act (66 Stat. 692) as an independent agency in the Executive Branch of the Government and was organized on August 21, 1952. The Board has jurisdiction to hear and determine applications for revision or annulment of orders issued under sections 203 or 206 of the Federal Coal Mine Safety Act, whereby a coal mine is classified as gassy or whereby persons are debarred from a coal mine or designated portions of a coal mine, and such other powers given to it by the statute referred to above.

2. *Organization.* (a) The Federal Coal Mine Safety Board of Review is composed of three members. Each is appointed by the President by and with the advice and consent of the Senate. One member of the Board shall be a person who by reason of previous training and experience may reasonably be said to represent the viewpoint of coal-mine operators; one member shall be a person who by reason of previous training and experience may reasonably be said to represent the viewpoint of coal-mine workers; and the third member, who shall be Chairman of the Board, shall be a graduate engineer with experience in the coal mining industry, or shall have had at least five years' experience as a practical engineer in the coal mining industry, and shall not, within one year of his appointment to the Board, have had a pecuniary interest in, or have been regularly employed or engaged in, the mining of coal, or regularly represent either coal-mine operators or coal-mine workers, or have been an officer or employee of the Department of the Interior assigned to duty in the Bureau of Mines. The members of the Board serve on a part-time basis and the Board meets at the call of the Chairman for the transaction of business.

(b) The Secretary of the Board is the chief full time officer of the Board. The Secretary has custody of all application dockets for the Board and papers in cases appealed to the Circuit Courts of Appeal, and is responsible for the receipt and distribution of all official mail, the maintenance and custody of official files of the Board, certification of reports and records and the transaction of all business not requiring official action of the Board or a member thereof.

3. *Office; correspondence.* (a) The principal office of the Federal Coal Mine Safety Board of Review is located in the Reconstruction Finance Corporation Building, 811 Vermont Avenue NW., Washington 25, D. C.

(b) All letters and other communications should be addressed to the Secretary of the Board at its offices in Washington, D. C.

(c) The Board may, from time to time, hold hearings or conduct other proceedings at places other than its principal office.

4. *Procedure.* (a) The review of an order under sections 203 or 206 of the Federal Coal Mine Safety Act is initiated by the filing with the Board of an application for annulment or revision of such order. The application is filed by the operator of the mine to which the order pertains and must recite the order complained of and other facts sufficient to advise the Board of the nature of proceeding. A copy of the application must be sent by registered mail to the Director of the Bureau of Mines, Washington 25, D. C., who shall be the respondent in the proceeding. The application will be set for hearing and the operator and the respondent will be afforded an opportunity to present evidence bearing upon the questions raised by the application and any answer thereto that may be filed by the respondent. Testimony may be ordered to be taken before one or more members of the Board, or in whole or in part in the form of depositions, as the Board may determine in the interest of the parties and of the public. Upon conclusion of the hearing, the Board will, as promptly as possible, determine the issue of the case and make an order consistent with its findings, affirming, revising or annulling the order under review.

(b) Upon written request of the operator during the pendency of proceedings, the Board may grant such temporary relief as it deems just and proper after affording both the operator and the Director an opportunity to be heard on the question.

(c) Any final order issued by the Board may be appealed to United States Court of Appeals for the Circuit in which the mine affected is located.

(d) An operator may file his own application for review with the Board, and may act for himself in all proceedings before the Board, but he is entitled to be represented by an attorney-at-law.

5. *Hearings and records.* Hearings of the Board, and its official records pertaining to proceedings under section 207 of the act are open to the public. The findings and orders of the Board will be published promptly after the rendering of same.

6. *Statutes and regulations.* Official copies of the Federal Coal Mine Safety Act, any other pertinent statutes, and of the Rules of the Federal Coal Mine Safety Board of Review may be obtained from the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

Adopted by the Federal Coal Mine Safety Board of Review at its offices in Washington, D. C., on the 18th day of October 1952.

TROY L. BACK,
Secretary of the Board.

[F. R. Doc. 52–12299; Filed, Nov. 17, 1952; 8:53 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G–1964]

TEXAS EASTERN TRANSMISSION CORP.

NOTICE OF OPINION NO. 239 AND ORDER APPROVING INTERIM SETTLEMENT

NOVEMBER 12, 1952.

Notice is hereby given that on November 10, 1952, the Federal Power Commission issued its Opinion No. 239 and order entered November 6, 1952, approving interim settlement in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52–12264; Filed, Nov. 17, 1952; 8:46 a. m.]

[Docket No. G–2032]

TEXAS GAS TRANSMISSION CORP.

NOTICE OF FINDINGS AND ORDER

NOVEMBER 12, 1952.

Notice is hereby given that on November 12, 1952, the Federal Power Commission issued its order entered November 6, 1952, issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52–12265; Filed, Nov. 17, 1952; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70–1250]

PENNSYLVANIA EDISON CO. ET AL.

ORDER APPROVING POST-EFFECTIVE AMENDMENT PLAN FURTHER EXTENDING TIME FOR FINAL PAYMENT ON PREFERRED STOCK OF PENNSYLVANIA EDISON COMPANY

NOVEMBER 2, 1952.

In the matter of Pennsylvania Edison Company, Pennsylvania Electric Company, Associated Electric Company; File No. 70–1250.

On July 2, 1946, Associated Electric Company ("Aelec"), a registered holding company, and two of its public-utility subsidiary companies, Pennsylvania Electric Company ("Penelec") and Pennsylvania Edison Company ("Pened"), consummated a plan, filed under section 11 (e) of the Public Utility Holding Company Act of 1935 pursuant to which, among other things, (1) Pened was merged into Penelec and Pened was dissolved, (2) the holders of Pened's $5 series and $2.80 series preferred stock received the liquidation value of their preferred stocks provided they transmitted their stock certificates to a named paying agent prior to July 2, 1952, and (3) upon such payment, the paying agent overstamped the stock certificates with a legend indicating that payment of the liquidation value had been made and that holders of the overstamped certificates were entitled to receive such additional amounts, if any, as might thereafter be finally determined, provided such overstamped certificates were transmitted to the paying agent for payment within three years after such final determination; and

It having been finally determined on September 15, 1949, that the holders of certificates of Pened's $5 series and $2.80 series preferred stock were entitled to receive certain payments in addition to the liquidation value of their preferred stocks; and

The Commission on September 30, 1952, having approved a post-effective amendment to said plan extending to November 30, 1952, the time within which the holders of such certificates might surrender same and receive the additional payments aforesaid; and

A further post-effective amendment having been filed by Penelec wherein it is proposed to extend to December 31, 1952, the time within which the holders of the stock certificates and the overprinted stock certificates of Pened's $5 series and $2.80 series preferred stock may surrender same to the paying agent and receive final payment thereon; and

The Commission having considered such post-effective amendment and deeming it appropriate in the public interest and in the interest of investors that such post-effective amendment be approved:

It is ordered, That the said post-effective amendment be, and hereby is, approved.

It is further ordered, That jurisdiction be, and hereby is, reserved to take such further action as the Commission may deem appropriate in connection with the consummation of the plan.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-12266; Filed, Nov. 17, 1952; 8:47 a. m.]

[File No. 70-2929]

ELECTRIC BOND AND SHARE CO.

ORDER GRANTING AND PERMITTING TO BECOME EFFECTIVE APPLICATION-DECLARATION RESPECTING RIGHTS OFFERING

NOVEMBER 6, 1952.

Electric Bond and Share Company ("Bond and Share") a registered holding company, having filed an application-declaration pursuant to sections 9, 10 and 12 (d) of the Public Utility Holding Company Act of 1935 (the "act"), with respect to a proposed sale through a rights offering to its stockholders of 525,036 shares of common stock of its utility subsidiary, United Gas Corporation ("United"), on the basis of one share of United stock for each 10 shares of Bond and Share stock held;

Public hearings having been held after appropriate notice, representatives of Bond and Share and its stockholders having filed briefs and presented oral argument and the Commission having considered the matter and having issued its findings and opinion herein, on the basis of said findings and opinion.

It is ordered, That said application-declaration be and it hereby is granted and permitted to become effective, subject to the terms and conditions prescribed in Rule U-24 and to the reservation of jurisdiction by the Commission to pass upon fees and expenses in connection with said application-declaration, and subject further to the condition that any shares of United stock which may be acquired by Bond and Share in stabilization operations in connection with said rights offering shall be subject to the same commitment respecting disposition as applies to other shares of United stock held by Bond and Share; and

It is further ordered and recited, That the distribution by Bond and Share to its stockholders of rights to purchase shares of common stock of United and the sale and transfer of shares of common stock of United pursuant to the exercise of such rights are necessary or appropriate to the intergration or simplification of the holding company system of which Bond and Share is a member, and are necessary or appropriate to effectuate the provisions of section 11 (b) of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-12268; Filed, Nov. 17, 1952; 8:47 a. m.]

[File No. 70-2937]

PHILADELPHIA CO. AND DUQUESNE LIGHT CO.

ORDER PERMITTING SUBMISSION BY PARENT OF SUBSIDIARY'S COMMON STOCK AND BY SUBSIDIARY OF ITS COMMON STOCK TO COMPETITIVE BIDDING

NOVEMBER 12, 1952.

Philadelphia Company ("Philadelphia"), a registered holding company and a subsidiary of Standard Gas and Electric Company and Standard Power and Light Corporation, both registered holding companies, and Duquesne Light Company ("Duquesne"), a public utility subsidiary of Philadelphia, having filed a joint application-declaration and amendments thereto pursuant to sections 6, 7, 12 (d) and 12 (f) of the act and Rules U-44 and U-50 thereunder with respect to the following proposed transactions:

Philadelphia proposes to sell, pursuant to the competitive bidding requirements of Rule U-50, 170,000 shares of common stock of Duquesne which Philadelphia acquired from Duquesne in March of 1952, for a cash consideration of $30 per share. (See Holding Company Act Release No. 11129.) The net proceeds of the sale will be applied by Philadelphia to the reduction of its outstanding bank loans, presently aggregating $16,000,000.

Simultaneously with the above described sale by Philadelphia, Duquesne proposes, as part of the same offering, to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, 80,000 shares of its common stock. The net proceeds of the sale will be used by Duquesne for construction purposes.

The applicants-declarants request that the ten-day period required by Rule U-50 to elapse between the time of inviting bids and the entering into of an agreement with respect to the sale of the Duquesne common stock be shortened to six days.

The filing indicates that the issuance and sale by Duquesne of the 80,000 shares of its common stock have been approved by the Public Utility Commission of Pennsylvania.

The applicants-declarants request that this Commission make the necessary findings and recitals in accordance with Supplement R and section 1808 (f) of the Internal Revenue Code, as amended, and that the Commission's order herein become effective upon issuance.

Said joint application-declaration, with amendments thereto, having been filed pursuant to the provisions of Rule U-23, the Commission having ordered that a hearing be held with respect thereto, notice of said hearing having been duly given, and said hearing having been duly held; and

The Commission finding with respect to said joint application-declaration, as amended, that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application-declaration, as amended, be granted and permitted to become effective, forthwith:

It is ordered, Pursuant to the applicable provisions of the act and rules thereunder, that said joint application-declaration, as amended, be and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24, and to the further condition that the proposed sale of the Duquesne common stock by Philadelphia and the proposed issuance and sale of its common stock by Duquesne shall not be consummated until the results of competitive bidding, pursuant to Rule U-50, shall have been made a matter of record herein, and until a further order shall have been entered with respect thereto, which order may contain further terms and conditions as may then be deemed appropriate, for which purpose jurisdiction be, and the same hereby is, reserved.

It is further ordered, That the ten-day period required by Rule U-50 to elapse between the time of inviting bids and the entering into of an agreement with respect to the sale of the Duquesne common stock be, and the same hereby is, shortened to six days.

It is further ordered, That jurisdiction be, and the same hereby is, reserved over all fees and expenses to be incurred in connection with the proposed transactions.

It is further ordered and recited and the Commission finds, That the proposed transactions, including particularly the sale for cash by Philadelphia of 170,000 shares of common stock of Duquesne which Philadelphia acquired from Duquesne in March of 1952, for a cash consideration of $30 per share, said shares being presently represented by temporary typewritten certificate No. 7 registered in the name of Philadelphia, the transfer of said shares to the purchasers on said sale, and the application of the net proceeds of said sale, to the extent sufficient, to retirement and cancellation of Philadelphia's bank loans, presently aggregating $16,000,000 are authorized and approved and are necessary and appropriate to the integration and simplification of the holding company system of which Philadelphia and Duquesne are members and necessary and appropriate to effectuate the provisions of section 11

(b) of the Public Utility Holding Company Act of 1935 and the orders of the Commission previously entered thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-12267; Filed, Nov. 17, 1952; 8:47 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Delegation of Authority 81]

DIRECTOR OF THE REGIONAL OFFICE, REGION XIII, SEATTLE, WASHINGTON

DELEGATION OF AUTHORITY TO ACT UNDER CPR 65, AS AMENDED

By virtue of the authority vested in me as Director of the Office of Price Stabilization, pursuant to the Defense Production Act of 1950, as amended (64 Stat. 798, 803; 65 Stat. 131; 66 Stat. 296), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2, as amended (16 F. R. 738, 11626), this delegation of authority is hereby issued.

Authority to act under section 4 (d) of Ceiling Price Regulation 65, as amended. Authority is hereby delegated to the Director of the Regional Office, Region 13, Office of Price Stabilization, to receive and process applications for the establishment of ceiling prices pursuant to section 4 (d) of CPR 65, as amended, and to approve or disapprove ceiling prices proposed by applicants, to establish different ceiling prices, to request further information concerning the applications, and to amend, modify, or revoke any order issued pursuant to this delegation of authority.

This delegation of authority is effective November 22, 1952.

TIGHE E. WOODS, *Director of Price Stabilization.*

NOVEMBER 17, 1952.

[F. R. Doc. 52-12391; Filed, Nov. 17, 1952; 4:00 p. m.]

[Delegation of Authority 82]

DIRECTORS OF THE REGIONAL OFFICES

DELEGATION OF AUTHORITY TO ACT UNDER SECTION 5 OF CEILING PRICE REGULATION 61

By virtue of the authority vested in me as the Director of the Office of Price Stabilization, pursuant to the Defense Production Act of 1950, as amended (64 Stat. 798, 803; 65 Stat. 131, 66 Stat. 296); Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2, as amended (16 F. R. 738, 11626), this delegation of authority is hereby issued.

1. *Authority to act under section 5 of CPR 61.* Authority is hereby delegated to the Directors of the Regional Offices of the Office of Price Stabilization to receive and examine reports filed under the provisions of section 5 of Ceiling Price Regulation 61; to ascertain whether such reports conform to requirements of Ceiling Price Regulation 61; and to take all steps necessary to assure that such reports are corrected in accordance with the provisions of section 5 of Ceiling Price Regulation 61.

2. *Authority to redelegate.* The authority herein delegated may be redelegated to the Directors of the District Offices of the Office of Price Stabilization.

This delegation of authority shall take effect on November 22, 1952.

TIGHE E. WOODS, *Director of Price Stabilization.*

NOVEMBER 17, 1952.

[F. R. Doc. 52-12387; Filed, Nov. 17, 1952; 11:07 a. m.]

[Delegation of Authority 83]

DIRECTORS OF THE REGIONAL OFFICES

DELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR CHANGING AND ESTABLISHING SERVICE CHARGES FOR BANKS UNDER SUPPLEMENTARY REGULATION 22 TO CEILING PRICE REGULATION 34

By virtue of the authority vested in me as Director of Price Stabilization, pursuant to the Defense Production Act of 1950, as amended (64 Stat. 798, 803; 65 Stat. 131, 66 Stat. 296), and Executive Order 10161 (15 F. R. 6105) and Economic Stabilization General Order No. 2 (16 F. R. 738, 11626), this delegation of authority is hereby issued.

1. *Authority to act under Supplementary Regulation 22 to Ceiling Price Regulation 34, as amended.* Authority is hereby delegated to the Directors of the Regional Offices of the Office of Price Stabilization to accept applications, establish, approve or disapprove ceiling prices or changes in banking practices or to require further information under the provisions of Supplementary Regulation 22 to Ceiling Price Regulation 34, as amended.

2. *Authority to redelegate.* The authority herein delegated may be redelegated to the Directors of the District Offices of the Office of Price Stabilization.

This delegation of authority shall take effect on November 18, 1952.

TIGHE E. WOODS, *Director of Price Stabilization.*

NOVEMBER 17, 1952.

[F. R. Doc. 52-12388; Filed, Nov. 17, 1952; 11:07 a. m.]

CERTAIN REGIONS

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Overriding Regulation were filed with the Division of the Federal Register on November 7, 1952.

REGION VI

Cleveland Order 1-G1-2, establishing retail prices for certain dry grocery items sold by retailers in northeastern Ohio, filed 2:34 p. m.

Cleveland Order 1-G2-2, establishing retail prices for certain dry grocery items sold by retailers in northeastern Ohio, filed 2:34 p. m.

Cleveland Order 1-G3-2, establishing retail prices for certain dry grocery items sold by retailers in northeastern Ohio, filed 2:34 p. m.

Cleveland Order 1-G4-2, establishing retail prices for certain dry grocery items sold by retailers in northeastern Ohio, filed 2:35 p. m.

Louisville Order 1-G1-2, establishing retail prices for certain dry grocery items sold by retailers in the Louisville area, filed 2:32 p. m.

Louisville Order 1-G2-2, establishing retail prices for certain dry grocery items sold by retailers in the Louisville area, filed 2:32 p. m.

Louisville Order 1-G3-2, establishing retail prices for certain dry grocery items sold by retailers in the Louisville area, filed 2:33 p. m.

Louisville Order 1-G4-2, establishing retail prices for certain dry grocery items sold by retailers in the Louisville area, filed 2:33 p. m.

Louisville Order 1-G4A-2, establishing retail prices for certain dry grocery items sold by retailers in the Louisville area, filed 2:33 p. m.

REGION VII

Indianapolis Order 1-G1-2, covering retail prices for certain dry grocery items sold by retailers in the Indianapolis area, filed 2:39 p. m.

Indianapolis Order 1-G2-2, covering retail prices for certain dry grocery items sold by retailers in the Indianapolis area, filed 2:39 p. m.

Indianapolis Order 1-G3-2, covering retail prices for certain dry grocery items sold by retailers in the Indianapolis area, filed 2:39 p. m.

Indianapolis Order 1-G4-2, covering retail prices for certain dry grocery items sold by retailers in the Indianapolis area, filed 2:40 p. m.

Milwaukee Order 1-G1-2, covering retail prices for certain dry grocery items sold by retailers in the Milwaukee area, filed 2:37 p. m.

Milwaukee Order 1-G2-2, covering retail prices for certain dry grocery items sold by retailers in the Milwaukee area, filed 2:38 p. m.

Milwaukee Order 1-G3-2, covering retail prices for certain dry grocery items sold by retailers in the Milwaukee area, filed 2:38 p. m.

Milwaukee Order 1-G4-2, covering retail prices for certain dry grocery items sold by retailers in the Milwaukee area, filed 2:38 p. m.

Chicago Order 1-G1-2, covering retail prices for certain dry grocery items sold by retailers in the Chicago area, filed 2:35 p. m.

Chicago Order 1-G2-2, covering retail prices for certain dry grocery items sold by retailers in the Chicago area, filed 2:36 p. m.

Chicago Order 1-G3-2, covering retail prices for certain dry grocery items sold by retailers in the Chicago area, filed 2:36 p. m.

Chicago Order 1-G3A-1, covering retail prices for certain dry grocery items sold by retailers in the Chicago area, filed 2:36 p. m.

Chicago Order 1-G4-2, covering retail prices for certain dry grocery items sold by retailers in the Chicago area, filed 2:36 p. m.

Chicago Order 1-G4A-1, covering retail prices for certain dry grocery items sold by retailers in the Chicago area, filed 2:37 p. m.

REGION VIII

Minneapolis Order 1-G1-1, Amendment 3, changes, adds and deletes certain food items for retail sales in the Minneapolis-St. Paul area, filed 2:41 p. m.

Minneapolis Order 1-G2-1, Amendment 3, changes, adds and deletes certain food items

for retail sales in the Minneapolis-St. Paul area, filed 2:43 p. m.

Minneapolis Order 1–G3–1, Amendment 4, changes, adds and deletes certain food items for retail sales in the Minneapolis-St. Paul area, filed 2:44 p. m.

Minneapolis Order 1–G4–1, Amendment 4, changes, adds and deletes certain food items for retail sales in the Minneapolis-St. Paul area, filed 2:44 p. m.

Fargo Order III–G1–1, covering retail prices for certain dry grocery items sold by retailers in the Fargo area, filed 2:40 p. m.

Fargo Order III–G2–1, covering retail prices for certain dry grocery items sold by retailers in the Fargo area, filed 2:40 p. m.

Fargo Order III–G3–1, covering retail prices for certain dry grocery items sold by retailers in the Fargo area, filed 2:41 p. m.

Fargo Order III–G4–1, covering retail prices for certain dry grocery items sold by retailers in the Fargo area, filed 2:41 p. m.

REGION IX

Kansas City Order 1–G1–2, covering retail prices for certain dry grocery items sold by retailers in the Kansas City area, filed 2:46 p. m.

Kansas City Order 1–G2–2, covering retail prices for certain dry grocery items sold by retailers in the Kansas City area, filed 2:45 p. m.

Kansas City Order 1–G3–2, covering retail prices for certain dry grocery items sold by retailers in the Kansas City area, filed 2:45 p. m.

Kansas City Order 1–G4–2, covering retail prices for certain dry grocery items sold by retailers in the Kansas City area, filed 2:44 p. m.

Wichita Order 1–G1–2, covering retail prices for certain dry grocery items sold by retailers in the Sedgwick County area, filed 2:46 p. m.

Wichita Order 1–G2–2, covering retail prices for certain dry grocery items sold by retailers in the Sedgwick County area, filed 2:46 p. m.

Wichita Order 1–G3–2, covering retail prices for certain dry grocery items sold by retailers in the Sedgwick County area, filed 2:46 p. m.

Wichita Order 1–G4–2, covering retail prices for certain dry grocery items sold by retailers in the Sedgwick County area, filed 2:47 p. m.

REGION XI

Albuquerque Order 1–G1–2, covering retail prices for certain dry grocery items sold by retailers in the New Mexico area, filed 2:47 p. m.

Albuquerque Order 1–G2–2, covering retail prices for certain dry grocery items sold by retailers in the New Mexico area, filed 2:47 p. m.

Albuquerque Order 1–G4–2, covering retail prices for certain dry grocery items sold by retailers in the New Mexico area, filed 2:48 p. m.

Cheyenne Order 1–G1–2, covering retail prices for certain dry grocery items sold by retailers in the Cheyenne area, filed 2:48 p. m.

Cheyenne Order 1–G2–2, covering retail prices for certain dry grocery items sold by retailers in the Cheyenne area, filed 2:49 p. m.

Cheyenne Order 1–G4–2, covering retail prices for certain dry grocery items sold by retailers in the Cheyenne area, filed 2:49 p. m.

Cheyenne Order 1–G4A–2, covering retail prices for certain dry grocery items sold by retailers in the Cheyenne area, filed 2:49 p. m.

REGION XII

Phoenix Order 1–G1–1, Amendment 3, changes the retail ceiling prices for certain food items to reflect changes in wholesale prices in the Phoenix area, filed 2:50 p. m.

Phoenix Order 1–G2–1, Amendment 3, changes the retail ceiling prices for certain food items to reflect changes in wholesale prices in the Phoenix area, filed 2:50 p. m.

Phoenix Order 1–G3–1, Amendment 3, changes the retail ceiling prices for certain food items to reflect changes in wholesale prices in the Phoenix Order, filed 2:50 p. m.

Phoenix Order 1–G3A–1, Amendment 3, changes the retail ceiling prices for certain food items to reflect changes in wholesale prices in the Phoenix area, filed 2:51 p. m.

Phoenix Order 1–G4–1, Amendment 3, changes the retail ceiling prices for certain food items to reflect changes in wholesale prices in the Phoenix area, filed 2:52 p. m.

Phoenix Order 1–G4A–1, Amendment 3, changes the retail ceiling prices for certain food items to reflect changes in wholesale prices in the Phoenix area, filed 2:53 p. m.

San Francisco Order 1–G1–1, Amendment 3, changes the retail ceiling prices for certain food items to reflect changes in wholesale prices in the San Francisco area, filed 2:53 p. m.

San Francisco Order 1–G2–1, Amendment 3, changes the retail ceiling prices for certain food items to reflect changes in wholesale prices in the San Francisco area, filed 2:53 p. m.

San Francisco Order 1–G3–1, Amendment 3, changes the retail ceiling prices for certain food items to reflect changes in wholesale prices in the San Francisco area, filed 2:54 p. m.

San Francisco Order 1–G3A–1, Amendment 3, changes the retail ceiling prices for certain food items to reflect changes in wholesale prices in the San Francisco area, filed 2:54 p. m.

San Francisco Order 1–G4–1, Amendment 3, changes the retail ceiling prices for certain food items to reflect changes in wholesale prices in the San Francisco area, filed 2:54 p. m.

San Francisco Order 1–G4A–1, Amendment 3, changes the retail ceiling prices for certain food items to reflect changes in wholesale prices in the San Francisco area, filed 2:54 p. m.

REGION XIII

Seattle Order 1–G1–2, covering retail prices for certain dry grocery items sold by retailers in the western Washington area, filed 2:54 p. m.

Seattle Order 1–G2–2, covering retail prices for certain dry grocery items sold by retailers in the western Washington area, filed 2:55 p. m.

Seattle Order 1–G4–2, covering retail prices for certain dry grocery items sold by retailers in the western Washington area, filed 2:55 p. m.

Seattle Order 1–G4A–2, covering retail prices for certain dry grocery items sold by retailers in the western Washington area, filed 2:55 p. m.

Seattle Order II–G4–1, covering retail prices for certain dry grocery items sold by retailers in the western Washington area, filed 2:56 p. m.

Copies of any of these orders may be obtained in any OPS Office in the designated city.

JOSEPH L. DWYER,
Recording Secretary.

[F. R. Doc. 52–12307; Filed, Nov. 13, 1952; 4:59 p. m.]

[Ceiling Price Regulation 17, Section 11 (d), Special Order 3]

BREMERTON-PORT ORCHARD MARKETING AREA

ADJUSTMENT OF TANK WAGON CEILING PRICES OF FUEL OIL DISTRIBUTORS

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil, and Stove Oil) by tank wagon distributors in the Bremerton-Port Orchard marketing area.

The Office of Price Stabilization was requested by distributors in the Bremerton-Port Orchard marketing area to conduct a survey to determine whether increased costs have reduced the net margins in the area below a point sufficient to maintain the level of earnings in the year ending May 31, 1950. The results of that survey show that an upward adjustment is necessary to bring earnings to that level.

There are hundreds of heating oil sellers at the tank wagon level in this Region and the need for relief is not uniform but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis rather than on a region-wide basis. For the purpose of this special order the market area has been defined as the area of reseller competition, which is the same as the free delivery zones.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is, therefore, consistent with the provisions of Section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority No. 72, *It is ordered:*

1. That the ceiling price of heating oil distributors in the Bremerton-Port Orchard marketing area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by $0.005 per gallon. The Bremerton-Port Orchard marketing area is defined as that area in which dealers located in Bremerton and Port Orchard make deliveries without an additional charge.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this order shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on November 13, 1952.

PAUL A. VOLPE,
Acting Regional Director, Office of Price Stabilization, Region XIII.

NOVEMBER 12, 1952.

[F. R. Doc. 52–12217; Filed, Nov. 12, 1952; 11:59 a. m.]

[Ceiling Price Regulation 17, Section 11 (d), Special Order 4]

BELLINGHAM-FERNDALE MARKETING AREA

ADJUSTMENT OF TANK WAGON CEILING PRICES OF FUEL OIL DISTRIBUTORS

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No.

1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) by tank wagon distributors in the Bellingham-Ferndale marketing area.

The Office of Price Stabilization was requested by distributors in the Bellingham-Ferndale marketing area to conduct a survey to determine whether increased costs have reduced the net margins in the area below a point sufficient to maintain the level of earnings in the year ending May 31, 1950. The results of that survey show that an upward adjustment is necessary to bring earnings to that level.

There are hundreds of heating oil sellers at the tank wagon level in this Region and the need for relief is not uniform but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis rather than on a region-wide basis. For the purpose of this special order the market area has been defined as the area of reseller competition, which is the same as the free delivery zones.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is, therefore, consistent with the provisions of Section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority No. 72, *It is ordered:*

1. That the ceiling price of heating oil distributors in the Bellingham-Ferndale marketing area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by $0.004 per gallon. The Bellingham-Ferndale marketing area is defined as that area in which dealers located in Bellingham and Ferndale make deliveries without an additional charge.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this order shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on November 13, 1952.

PAUL A. VOLPE,
Acting Regional Director, Office of Price Stabilization, Region XIII.

NOVEMBER 12, 1952.

[F. R. Doc. 52-12218; Filed, Nov. 12, 1952; 11:59 a. m.]

[Ceiling Price Regulation 17, Section 11 (d), Special Order 5]

MT. VERNON-SEDRO WOOLLEY-BURLINGTON AND ANACORTES MARKETING AREA

ADJUSTMENT OF TANK WAGON CEILING PRICES OF FUEL OIL DISTRIBUTORS

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) by tank wagon distributors in the Mt. Vernon-Sedro Woolley-Burlington and Anacortes marketing area.

The Office of Price Stabilization was requested by distributors in the Mt. Vernon-Sedro Woolley-Burlington and Anacortes marketing area to conduct a survey to determine whether increased costs have reduced the net margins in the area below a point sufficient to maintain the level of earnings in the year ending May 31, 1950. The results of that survey show that an upward adjustment is necessary to bring earnings to that level.

There are hundreds of heating oil sellers at the tank wagon level in this Region and the need for relief is not uniform but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis rather than on a region-wide basis. For the purpose of this special order the market area has been defined as the area of reseller competition, which is the same as the free delivery zones.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is, therefore, consistent with the provisions of Section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority No. 72, *It is ordered:*

1. That the ceiling price of heating oil distributors in the Mt. Vernon-Sedro Woolley-Burlington and Anacortes marketing area for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by $0.002 per gallon. The Mt. Vernon-Sedro Woolley-Burlington and Anacortes marketing area is defined as that area in which dealers located in Mt. Vernon, Sedro Woolley, Burlington and Anacortes make deliveries without an additional charge.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this order shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on November 13, 1952.

PAUL A. VOLPE,
Acting Regional Director, Office of Price Stabilization, Region XIII.

NOVEMBER 12, 1952.

[F. R. Doc. 52-12219; Filed, Nov. 12, 1952; 12:00 p. m.]

[Ceiling Price Regulation 32, Supplementary Regulation 2, Section 3, Special Order 25]

SPRING CREEK FIELD, PARK COUNTY, WYOMING

CRUDE PETROLEUM CEILING PRICES ADJUSTED ON AN IN-LINE BASIS

Statement of considerations. This special order adjusts the ceiling price for the sale of crude petroleum produced from Spring Creek Field, Park County, Wyoming.

The Office of Price Stabilization has been requested to eliminate the differentials heretofore imposed upon crude petroleum produced from the Spring Creek Field, Park County, Wyoming. During the base period there was a lack of competitive factors and a lack of low cost pipe line transportation and as a result, the crude petroleum produced from the Spring Creek Field, Park County, Wyoming, was sold at a lower price than that paid for crude petroleum of comparable quality produced in this same general area. It appears that this condition has now been eliminated and these differentials should no longer be imposed.

From the information available to this Office, it appears that this requested ceiling price of $1.07½ cents per barrel does not exceed the ceiling price of comparable crude petroleum produced in this same area.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 3 of Supplementary Regulation 2 to Ceiling Price Regulation 32, *It is ordered:*

1. That the ceiling price at the lease receiving tank for crude petroleum produced from the Spring Creek Field, Park County, Wyoming, shall be: $1.07½ cents per barrel.

2. All provisions of Ceiling Price Regulation 32, except as inconsistent with the provisions of this order, shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified or revoked by the Director of Price Stabilization at any time.

Effective date. This special order shall become effective on November 13, 1952.

TIGHE E. WOODS,
Director of Price Stabilization.

NOVEMBER 12, 1952.

[F. R. Doc. 52-12220; Filed, Nov. 12, 1952; 12:00 p. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27533]

VARIOUS COMMODITIES BETWEEN SOUTHERN AND OFFICIAL TERRITORIES

APPLICATION FOR RELIEF

NOVEMBER 13, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin, Agent, for carriers parties to schedules listed in exhibit A of the application, pursuant to fourth-section order No. 17220.

Commodities involved: Various commodities, carloads.

Between: Southern and official territories.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such

application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 52–12286; Filed, Nov. 17, 1952; 8:48 a. m.]

[4th Sec. Application 27534]

PAPER FROM SOUTH TO WESTERN TRUNK-LINE TERRITORY

APPLICATION FOR RELIEF

NOVEMBER 13, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1317.

Commodities involved: Paper and related articles, carloads.

From: Points in southern territory.

To: Points in western trunk-line territory.

Grounds for relief: Rail competition, circuitous routes, market competition, and grouping.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1317.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 52–12287; Filed, Nov. 17, 1952; 8:48 a. m.]

[4th Sec. Application 27535]

CRUDE ALUNITE ROCK FROM MARYSVALE, UTAH, TO SOUTHWEST

APPLICATION FOR RELIEF

NOVEMBER 13, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3904.

Commodities involved: Crude alunite rock, crushed or ground, carloads.

From: Marysvale, Utah.

To: Points in the Southwest.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3904, Supp. 94.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 52–12288; Filed, Nov. 17, 1952; 8:49 a. m.]

[4th Sec. Application 27536]

SPENT SULPHURIC ACID FROM LENSANTO, ALA., TO TUPELO, MISS., AND NASHVILLE, TENN.

APPLICATION FOR RELIEF

NOVEMBER 13, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for The Nashville, Chattanooga & St. Louis Railway, St. Louis-San Francisco Railway Company, and Southern Railway Company.

Commodities involved: Sulphuric acid, spent, in tank-car loads.

From: Lensanto, Ala.

To: Tupelo, Miss., and Nashville, Tenn.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1200, Supp. 66.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 52–12289; Filed, Nov. 17, 1952; 8:49 a. m.]

[4th Sec. Application 27537]

CLAY FROM STEPHENS, S. C., TO OFFICIAL AND WESTERN TRUNK-LINE TERRITORIES

APPLICATION FOR RELIEF

NOVEMBER 13, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedule shown below.

Commodities involved: Clay, kaolin or pyrophyllite, carloads.

From: Stephens, S. C.

To: Points in official and western trunk-line territories.

Grounds for relief: Competition with rail carriers, circuitous routes, and grouping.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1323.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 52–12290; Filed, Nov. 17, 1952; 8:49 a. m.]

[4th Sec. Application 27538]

COTTON FROM SOUTHERN TERRITORY TO OFFICIAL TERRITORY AND CANADA

APPLICATION FOR RELIEF

NOVEMBER 13, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Competition with rail carriers, circuitous routes, and grouping.

From: Points in southern territory.

To: Official territory and points in Canada.

Grounds for relief: Competition with rail carriers, circuitous routes, and grouping.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 966, Supp. 56.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise, the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 52–12291; Filed, Nov. 17, 1952; 8:50 a. m.]

[4th Sec. Application 27539]

FERTILIZER FROM OHIO AND WEST VIRGINIA TO OFFICIAL TERRITORY

APPLICATION FOR RELIEF

NOVEMBER 13, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: H. R. Hinsch, Alternate Agent, for carriers parties to schedules listed on attached sheet.

Commodities involved: Fertilizer and fertilizer materials, carloads.

Territory: From points in Ohio and West Virginia to Ohio River crossings and between points in Virginia, on the one hand, and points in Ohio, Kentucky, and West Virginia, on the other.

Grounds for relief: Competition with rail carriers, circuitous routes, and additional routes.

Schedules filed containing proposed rates:

	Tariff I. C. C. No.	Supp. No.
L. C. Schuldt, Agent	3758	446
R. B. LeGrande, Agent	253	27
B&O RR	23988	49
C&O RR	13168	76
Do	13167	35
N&W Ry	9424	44

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 52–12292; Filed, Nov. 17, 1952; 8:50 a. m.]